

Legistar #070307
DISTRICT ALL

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) _____
Recommendations of Boards, Commissions & Committees (Green) _____
Waiver of First Requested _____
Other Business (Pink) _____

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Huliseberg, Village Manager *John*

DATE: February 10, 2009 (B of T) Date: February 19, 2009

TITLE: Proposed Policy for Mailbox Replacement Impacted by Snow Removal Operations

SUBMITTED BY: Carl Goldsmith, Director of Public Works

BACKGROUND/POLICY IMPLICATIONS:

Recommendation from Public Works Committee to approve a formal policy for mailbox replacement when impacted by snow removal operations.

FISCAL IMPACT/FUNDING SOURCE

None

Review (as necessary):

Village Attorney X _____
Date _____
Finance Director X _____
Date _____
Village Manager X *David A. Huliseberg* _____
Date _____
2/10/09

NOTE: Materials must be submitted to / approved by the Village Manager's Office by 12:00 pm, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

To: Village President and Board of Trustees

From: Carl S. Goldsmith, Director of Public Works *CS*

Date: February 9, 2009

Subject: Proposed Policy for Mailbox Replacement Impacted by Snow Removal Operations

The Village does not currently have a formal policy for replacing mailboxes that are damaged or destroyed during snow removal operations. Presently, Public Works installs a temporary mailbox and/or post when either is damaged or knocked down during snow removal operations. Public Works installs permanent replacements at the end of winter. The following policy incorporates comments made by the Public Works Committee at their meetings held October 14th and November 11, 2008.

Background:

The Department of Public Works damages approximately 100 mailboxes each winter during snow removal operations. The replacement cost for each box during winter 2007-2008 was \$25 each, plus labor. Investigations have determined that many of the mailboxes that were damaged or destroyed had been improperly installed; meaning that they were not installed in accordance with Village Code and United State Postal Service (USPS) regulations. Many of the mailboxes are too close to the curb or hang over the curb so they are either hit by the plow or pushed over by plowed snow.

Village Ordinance No. 5146 (copy enclosed) required residents to bring all non-conforming mailboxes into compliance by November 15, 2002. A survey of all street-side mailboxes was supposed to be completed after the compliance deadline to ensure that compliance was reached. Such a survey was not completed until the summer of 2008. A copy of the Mailbox Inspection Form is enclosed for your review and the results of the survey are summarized below.

An increasing number of residents are installing ornate mailboxes, increasing the difficulty of obtaining replacements that meet resident approval. Additionally, significant allocation of Village resources and time are required to purchase, assemble and install the new mailboxes during the busy period when the Department is transitioning from winter to spring.

Survey:

Staff measured mailboxes and determined that a total of 2,237 mailboxes were not in compliance with regulations. There were 309 that were either too close to or over the curb. The Village Code and postal regulations require that the box be no closer than 6" from the curb or edge of pavement or lower than 41" from the road surface. Another 8 mailboxes were structural. As

soon as the Village Board approves the new policy, a letter will be sent to these 317 residents advising them to modify their mailboxes by June 1, 2009. In regards to the 1,920 residents that will not be receiving a letter notifying them of the violation, these boxes are generally in excess of the acceptable range set by the postmaster and do not present a concern relative to the plow operations.

Draft Policy:

Staff proposes a policy that reimburses residents the cost of materials associated with replacing a basic mailbox structure that is in full compliance with the USPS Code and Lombard Village Code. When identified by staff or notified by a resident, staff will install a temporary mailbox within one working day after the end of the storm. The Village will reimburse residents the cost of materials for a basic metal mailbox and wooden post (4x4). The resident may purchase a different type to be installed on their behalf by the Department of Public Works, but the reimbursement amount will be a set amount based on the basic type of mailbox. The temporary mailbox would be returned to the Village before the reimbursement is made. Letters would be mailed to the owners of the non-conforming mailboxes this spring to advise that those mailboxes must be adjusted or replaced per the regulations.

The policy provides further guidance in regard to structural mailboxes. Property owners who have existing structural boxes shall be required to either remove the structure prior to June 1, 2009 or execute a "Right-Of-Way Encroachment Waiver and Agreement" should the property owner wish to maintain the structural mail box. In the event that a property owner fails to execute said agreement, the Village will seek compliance or removal through proper legal channels.

Recommendation:

The Public Works Committee and Staff recommend that the Village President and Board of Trustees approve the proposed Mailbox Policy.

cc: David Hulseberg, Village Manager
Keith Surges, Operations Superintendent
Angela Podesta, Utilities Superintendent

VILLAGE OF LOMBARD

VILLAGE BOARD POLICY MEMORANDUM

Number:
Date:

I. Purpose

To establish a Village policy for the replacement of mailboxes knocked down or damaged by the Village during snow removal operations.

II. Procedures/Guidelines

When identified by staff or notified by a resident that snow removal operations have damaged a mailbox and/or post, Public Works will install a temporary metal mailbox and wooden post within one working day after the end of the storm.

The resident may either keep the temporary mailbox or opt for a different replacement mailbox. The resident shall purchase the different mailbox and the Village will reimburse the resident for the cost of a basic mailbox provided that the mailbox is installed per Village Code (Title 9, Chapter 97, Section 97.010). The resident must provide copies of paid receipts to Public Works and the temporary mailbox no later than May 15th in order to receive a reimbursement. Public Works will install the permanent mailbox when so requested by the resident.

Residents with structural mailboxes shall be required to remove the illegal structure from the public right-of-way on or before June 1, 2009. Should a property owner refuse to remove the structure the Village shall require the property owner to enter into a "Right-of-Way Encroachment Waiver and Agreement". The existing structural mail boxes, with executed "Right-of-Way Encroachment Waiver and Agreement" shall become legal non-conforming structures.

Public Works will advise each resident in writing that their is not in compliance with the Lombard Village Code. Public Works will maintain a list of all residents whose boxes are not in compliance with Lombard Village Code.

(date)

Resident

Lombard, IL 60148

RE: Unauthorized Mailbox Structure

Dear Sir or Madam:

The Village of Lombard, as part of an ongoing property maintenance inspection program, has identified that your mailbox is not in compliance with Section 97.010 of the Lombard Village Code (copy enclosed). As such, it is more likely to be damaged during the Village's snow removal efforts. Consequently, the mailbox must be adjusted to comply with the Lombard Village Code and U.S. Postal Service regulations. Please see the enclosed diagram for specifics related to your mailbox.

The Village of Lombard policy, as established by the Village Board of Trustees, provides a replacement program for mailboxes damaged as a result of the Village's snow removal efforts. The Village will purchase and install a mailbox that meets the minimum standard of the U.S. Postal Services at the Village's expense. The Village does not replace mailboxes that are not in compliance with U.S. Postal Service regulations, nor does the Village provide mailboxes that are decorative or structural. In the event that your mailbox gets damaged during snow removal efforts, the Village will provide a standard mailbox and post to you at no cost. If you choose a more decorative non-structural mailbox, the Village will reimburse you the cost of the standard mailbox and post in accordance with the established policy.

The Village of Lombard requests that you take all necessary steps to ensure that your mailbox is in compliance with the Lombard Village Code and U.S. Postal Service regulations prior to June 1, 2009. Mailboxes that are not in full compliance as of June 1, 2009 may be subject to Code Enforcement action, resulting in penalties as set forth in Section 97.999 of the Lombard Village Code (copy enclosed).

Should you have any questions regarding this matter, please contact me at (630) 620-5740. Thank you for your time and cooperation in regard to this matter.

Sincerely,

Carl S. Goldsmith
Director of Public Works

attachments: § 97.010, § 97.999 and Mailbox Inspection Form

cc: Village President and Board of Trustees
Village Manager
Director of Community Development

§ 97.010 USE AND MAINTENANCE OF PARKWAY

(A) The Village hereby grants a revocable permission for each property owner and/or resident to beautify the portion of the land owned by, or dedicated to the Village and located between said owner's or resident's premises and the adjoining curb line (the parkway area); provided, however, that no encumbrance other than grass and/or those permitted by and planted under the provisions of Title 9, Chapter 99 of the Code of Ordinances are to be established on the parkway area, said establishment shall be done in accordance with all other applicable Village Codes and Ordinances.

(B) It shall be the duty of each owner of or person residing on property abutting on a parkway area to maintain the grass on the parkway by keeping its height at a level which complies with the Village Code. This duty shall extend only to grass and weed cutting and its imposition does not entail any further duties or responsibilities.

(C) United States Postal Service approved mailboxes are permitted within the parkway area only under the following conditions:

(1) The front face of the mailbox, once mounted, shall be six inches (6") to eight inches (8") from the back of the curb, or if no curb is present, from the road pavement, unless otherwise approved by the Postmaster due to road and/or curb conditions.

(2) The distance from grade to the bottom surface of the mailbox shall be forty-one inches (41") to forty-five inches (45"), unless otherwise approved by the Postmaster due to road and/or curb conditions.

(3) Mailbox and mailbox mounting structures shall provide a breakaway feature, as recommended by the Federal Highway Administration and the United States Postal Service, as follows:

(a) The mailbox shall be mounted on a mounting structure of the following sizes and materials and no others:

1) A wood or plastic post of which the area of an average cross section may not be more than sixteen (16) square inches.

2) A metal post not more than two inches (2") in diameter.

(b) Permitted mounting structures shall be affixed as follows:

1) A wood or plastic post shall be embedded in crushed stone in a twelve inch (12") diameter hole to a depth of thirty six inches (36") below grade.

2) A metal post shall be embedded twenty four inches (24") in concrete in a thirty six inch (36") hole of twelve inch (12") diameter.

(c) Mailboxes shall be securely affixed to the required mounting structure.

(4) Residents should take all necessary precautions to prevent damage to any existing utility located in the parkway.

(5) Any nonconforming mailbox or mailbox mounting structure shall be brought into compliance on or before November 15, 2002.

(Ord. 3449, passed 9/5/91; Ord. 5146, passed 6/20/02)

§ 97.999 PENALTY.

Any person, firm, or corporation who or which shall violate any of the provisions of this chapter shall be subject to a fine upon conviction thereof of not less than \$25 nor more than \$750, and each day such violation is permitted to continue shall constitute a separate offense.

cc: Village President and Board of Trustees
Village Manager
Director of Community Development

Attachments: § 97.010, § 97.999 and Mailbox Inspection Form

Carl S. Goldsmith
Director of Public Works

Sincerely,

Should you have any questions, please feel free to contact me at (630) 620-5740. Thank you for your time and cooperation in regard to this matter.

The Village sincerely hopes to avoid such action. The structural mailbox (with a U.S. Postal Service compliant replacement) without further notice, set forth in Section 97.999 of the Lombard Village Code (copy enclosed), and/or the removal of for violating Section 97.010 of the Lombard Village Code, which will subject you to the penalties mailbox or execute the Agreement on or before June 1, 2009 may result in a ticket being issued mailbox AND AGREEMENT" (the "Agreement"). Failure to either remove the structural mailbox, you will be required to execute the attached "RIGHT-OF-WAY ENCROACHMENT structural mailbox on or before June 1, 2009. If you do not wish to remove the structural mailbox or execute the Agreement on or before June 1, 2009 may result in a ticket being issued mailbox and post in accordance with the established policy.

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The Village of Lombard, as part of an ongoing property maintenance program, has identified that structures are not permitted in the parkway pursuant to Section 97.010 of the Lombard Village Code (copy enclosed). Structural mailboxes present a hazard and liability for traffic accidents and interfere with underground utility work within the dedicated public right-of-way.

Dear Sir or Madam:

RE: Unauthorized Mailbox Structure

Lombard, IL 60148

Resident

(Date)

§ 97.010 USE AND MAINTENANCE OF PARKWAY

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(B) It shall be the duty of each owner of or person residing on property abutting on a parkway area to maintain the grass on the parkway by keeping its height at a level which complies with the Village Code. This duty shall extend only to grass and weed cutting and its imposition does not entail any further duties or responsibilities.

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§ 97.999 PENALTY.

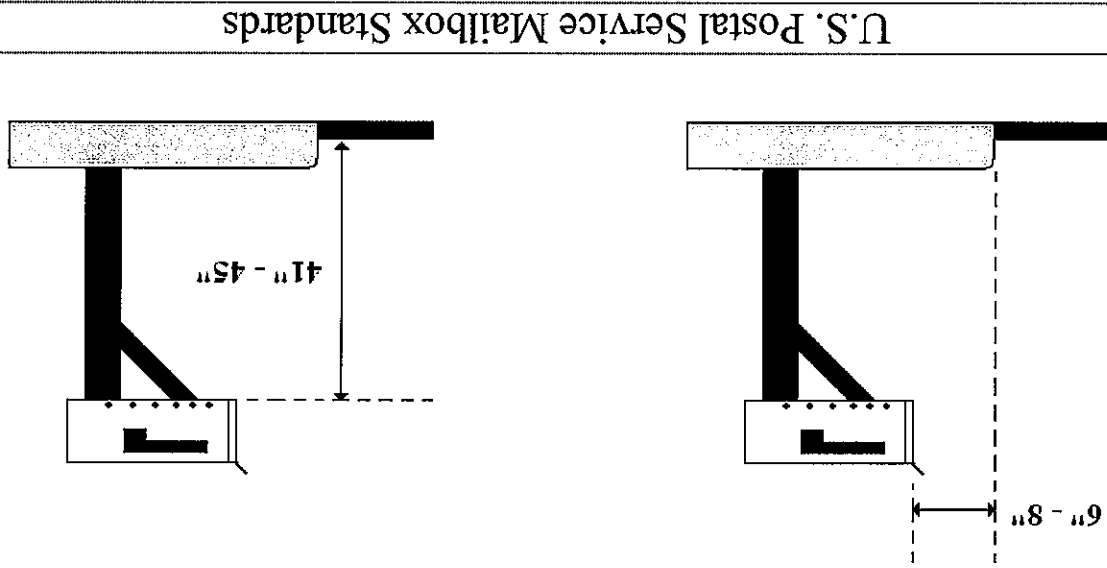
Any person, firm, or corporation who or which shall violate any of the provisions of this chapter shall be subject to a fine upon conviction thereof of not less than \$25 nor more than \$750, and each day such violation is permitted to continue shall constitute a separate offense.

Mailbox Inspection Form

Address: _____
 Inspection Date: 12/4/2007

Measured Offset from Front Face of Curb: 1 in.	Measured Height from Pavement: 33 in.
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Note: Your mailbox was found to be in violation of the U.S. Postal Service standards. Please make the necessary adjustments to comply with the standards shown below.



U.S. Postal Service Mailbox Standards