



AGENDA ITEM #13A/13B

**AGENDA ITEM EXECUTIVE SUMMARY
Village Board Meeting
1/9/2023**

Item Title: Mailbox Replacement and Reimbursement Policy

Staff Contact: Karen Young, P.E., Director of Public Works

OLD BUSINESS

VILLAGE BOARD ACTION:

- | |
|---|
| <p>1) Pass an ordinance amending Chapter 6 Article III Division 5 of the Code of Ordinances of the Village of Roselle, Illinois (mailboxes in right-of-way).
2) Adopt a resolution approving the Village of Roselle Mailbox Replacement and Reimbursement Policy.</p> |
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Executive Summary:

At the November 14 and 28 Village Board meetings, staff presented draft policies regarding the replacement of and reimbursement for mailboxes within the Village’s right-of-way for mailboxes. The attached Mailbox Replacement and Reimbursement Policy standardizes the policies and procedures relating to the mailboxes including defining responsibility and procedures if a mailbox is damaged or impacted by work within the right-of-way by the Village or its contractors.

Implications:

Is this item budgeted? N/A

Estimated cost: N/A

Any other implications to be considered? Village staff contacted the Village’s risk management agency, IRMA, to discuss the ordinance and policy. IRMA staff indicated that several members have similar policies and they do not have issues with enforcing the policy should a homeowner’s insurance attempt to subrogate a claim for damage to a non-standard mailbox.

Strategic Priority:

Customer Experience

Attachments:

Ordinance

Mailbox Replacement and Reimbursement Policy

THE VILLAGE OF ROSELLE
COOK AND DUPAGE COUNTIES, ILLINOIS

ORDINANCE
NUMBER 2022 _____

**AN ORDINANCE AMENDING
CHAPTER 6 ARTICLE III DIVISION 5
OF THE CODE OF ORDINANCES OF
THE VILLAGE OF ROSELLE, ILLINOIS
(MAILBOXES IN RIGHT OF WAY)**

DAVID PILESKI, Mayor
AMANDA HAUSMAN, Village Clerk

BRUCE BERKSHIRE
WAYNE D. DOMKE
CHERYL LENISA
TOM DELLA PENNA
TOM PIORKOWSKI
LEE TREJO

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of Roselle
on this the 12th day of December, 2022

ORDINANCE NO. 2022-_____

**AN ORDINANCE AMENDING
CHAPTER 6 ARTICLE III DIVISION 5
OF THE CODE OF ORDINANCES OF
THE VILLAGE OF ROSELLE, ILLINOIS
(MAILBOXES IN RIGHT OF WAY)**

WHEREAS, the Village of Roselle (hereinafter referred to as the “Village”) is an Illinois Municipal Corporation organized pursuant to the laws of the State of Illinois;

WHEREAS, the Village has in full force and effect a codified set of ordinances which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Roselle, as amended;

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety and welfare of its residents;

WHEREAS, one of the most common installations of private property within the Village’s right-of-way are mailboxes, throughout the Village, there are a number of mailboxes that are decorative or utilize non-standard materials;

WHEREAS, the Village Board is of the opinion that the adoption of a regulations relating to the installation of mailboxes within the Village right-of-way is necessary to provide guidance as to the respective parties as it relates to damage to the mailbox from utility work, road construction, snow plowing, and/or other public services performed by the Village or its contractors;

WHEREAS, the Village desires to amend its code of ordinances to provide for certain guidelines relative to mailboxes installed on the Village right-of-way; and

WHEREAS, the Corporate Authorities of the Village of Roselle are of the opinion that it is in the best interests of the safety, health and welfare of the residents to amend the village’s code of ordinances as referenced herein.

NOW, THEREFORE, BE IT ORDAINED, in open meeting assembled, by the Mayor and Board of Trustees of the Village of Roselle, Cook and DuPage Counties, Illinois as follows:

Section One - Recitals

The Board of Trustees hereby find that all of the recitals hereinbefore stated as contained in the preamble to this ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this ordinance as legislative findings.

Section Two – Amendment Village Code of Ordinances Chapter 6 Article III Division 5

Chapter 6 Article III Division 5 shall be amended by the addition of the following section (additions appearing underlined and any deleted language appearing with a ~~strike-through~~ line):

Section 6-614: Curbside Mailboxes

- a) Standard Location. Mailboxes shall be installed at 41-45" above the road surface. The mailbox shall be installed 6-8" back from the curb or edge of pavement.
- b) Standard Installation. Mailboxes shall be installed on a 4"x4" wood support or a 2" diameter standard steel or aluminum pipe. Posts should be buried no more than 24" deep. All other mailbox installation procedures shall follow the standards identified by the United States Postal Services (www.usps.com). The Village will not repair or replace any standard mailbox unless said damage was caused solely by the Village or unless said mailbox is removed due to parkway maintenance, road widening, or utility installation by the Village or its contractors. The Village will replace standard mailboxes with standard mailboxes described in subsection a.
- c) Non-standard mailboxes. Any mailbox that is constructed of materials other than wood, steel, or aluminum shall be installed at the property owner's risk. The Village will not repair or replace any non-standard mailbox unless said damage was caused solely by the Village or unless said mailbox is removed due to parkway maintenance, road widening, or utility installation by the Village or its contractors. The Village will replace non-standard mailboxes with standard mailboxes with a wood support as described in subsections a and b or the monetary equivalent of a standard mailbox with a wood support.

Section Three – Codification

The title, chapter(s) and section(s) adopted by this ordinance shall be numbered and placed in an appropriate title, chapter(s), and section(s) when and during the codification of the Roselle Municipal Code.

Section Four - Conflict Clause

That all ordinances, parts of ordinances, resolutions, parts of resolutions or board actions in conflict with the terms of this ordinance shall be repealed to the extent of said conflict.

Section Five - Passage Clause

That this ordinance shall take full force and effect from and after its passage, approval and publication as provided by law.

Section Six - Constitutionality Clause

Any part or parts of this ordinance declared by a court of law to be invalid or unconstitutional shall not affect the validity of the remaining provisions of this ordinance or the Roselle Municipal Code.

Section Seven - Publication

This ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Eight - Recording

This ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Roselle.

DECIDED pursuant to a Roll Call Vote:

	YES	NO	ABSTAIN	ABSENT
Bruce Berkshire				
Wayne D. Domke				
Cheryl Lenisa				
Tom Della Penna				
Tom Piorkowski				
Lee Trejo				
David Pileski (if necessary)				
TOTAL				

PASSED AND APPROVED by the Village of Roselle Board of Trustees on the 12th day of December, 2022:

David Pileski
Mayor

ATTEST:

Amanda Hausman
Village Clerk

STATE OF ILLINOIS)
) SS
 COUNTIES OF DUPAGE AND COOK)

CLERK’S CERTIFICATION

I, Amanda Hausman, hereby certify that I am the duly appointed and qualified Village Clerk in and for the Village of Roselle, DuPage and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Ordinance No. _____

**AN ORDINANCE AMENDING
 CHAPTER 6 ARTICLE III DIVISION 5 OF THE CODE OF ORDINANCES OF
 THE VILLAGE OF ROSELLE, ILLINOIS (MAILBOXES IN RIGHT OF WAY)**

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on December 12, 2022 and that the vote on the motion for adoption was as follows:

	YES	NO	ABSTAIN	ABSENT
Bruce Berkshire				
Wayne D. Domke				
Cheryl Lenisa				
Tom Della Penna				
Tom Piorkowski				
Lee Trejo				
David Pileski (if necessary)				
TOTAL				

I do further certify that the deliberations of the Board on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of Roselle, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of Roselle as required in the Illinois Compiled Statutes 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Village of Roselle, DuPage and Cook Counties, Illinois on the date set forth herein.

 Amanda Hausman, Village Clerk

(SEAL)

THE VILLAGE OF ROSELLE
DUPAGE AND COOK COUNTIES, ILLINOIS

RESOLUTION

NUMBER _____

**A RESOLUTION
APPROVING AND ESTABLISHING
A MAILBOX REPLACEMENT AND REIMBURSEMENT POLICY**

DAVID PILESKI, Mayor
AMANDA HAUSMAN, Village Clerk

BRUCE BERKSHIRE
WAYNE D. DOMKE
CHERYL LENISA
TOM DELLA PENNA
TOM PIORKOWSKI
LEE TREJO

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of Roselle
on this the 9th day of January, 2023

RESOLUTION NO. _____

**A RESOLUTION
APPROVING AND ESTABLISHING
A MAILBOX REPLACEMENT AND REIMBURSEMENT POLICY**

WHEREAS, the Village of Roselle (hereinafter referred to as the “Village”) is a municipal corporation organized pursuant to the laws of the State of Illinois possessing certain powers and perform certain functions pertaining to its local government and affairs as provided for by and through the Illinois Municipal Code and Illinois Statute;

WHEREAS, the Village has in full force and effect a codified set of ordinances which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Roselle, as amended;

WHEREAS, the Village has the authority to adopt ordinances, policies and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety and welfare of its residents;

WHEREAS, the Village recognizes that there are mailboxes located throughout the Village in the right-of-way and as a result the Village understands that the respective mailboxes may be damaged or removed for various reasons:

WHEREAS, the Village desires to adopt a policy providing for the repair or replacement of a mailbox as a result of damage caused by the Village; and

WHEREAS, the Corporate Authorities of the Village of Roselle are of the opinion that that it is in the best interests of the safety, health and welfare of the residents to adopt the mailbox replacement and reimbursement policy as set forth herein.

NOW, THEREFORE, BE IT RESOLVED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Roselle, DuPage and Cook Counties, Illinois, as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to the resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this resolution as legislative findings.

Section Two – Adoption of Mailbox Reimbursement Policy

The Corporate Authorities of the Village of Roselle hereby adopt mailbox replacement and reimbursement policy which is set forth in Exhibit which is attached hereto and made a part hereof.

Section Three - Codification

The title, chapter(s) and section(s) adopted by this resolution shall be numbered and placed in an appropriate title, chapter(s), and sections(s) sections when and during the codification of the Roselle Municipal Code if necessary.

Section Four - Conflict Clause

That all resolutions, parts of resolutions, board actions and/or policies in conflict with the terms of this resolution shall be repealed to the extent of said conflict.

Section Five - Constitutionality Clause

Any part or parts of this resolution declared by a court of law to be invalid or unconstitutional shall not affect the validity of the remaining provisions of this resolution.

Section Six - Passage Clause

That this resolution shall take full force and effect from and after its passage, approval and publication as provided by law.

Section Seven - Publication

This resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Eight - Recording

This resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Roselle.

The Remainder of this Page has been Intentionally Left Blank / Roll Call Vote to follow:

DECIDED pursuant to a Roll Call Vote:

	YES	NO	ABSENT	PRESENT
Bruce Berkshire				
Wayne D. Domke				
Cheryl Lenisa				
Tom Della Penna				
Tom Piorkowski				
Lee Trejo				
David Pileski				
TOTAL				

PASSED AND APPROVED by the Village of Roselle Board of Trustees on the 9th day of January, 2023:

David Pileski
Mayor

ATTEST:

Amanda Hausman
Village Clerk

STATE OF ILLINOIS)
) SS
 COUNTIES OF DUPAGE AND COOK)

CLERK’S CERTIFICATION

I, Amanda Hausman hereby certify that I am the duly appointed and qualified Village Clerk in and for the Village of Roselle, DuPage and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Resolution No. _____

**A RESOLUTION
 APPROVING AND ESTABLISHING
 A MAILBOX REPLACEMENT AND REIMBURSEMENT POLICY**

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on January 9, 2023 and that the vote on the motion for adoption was as follows:

	YES	NO	ABSENT	PRESENT
Bruce Berkshire				
Wayne D. Domke				
Cheryl Lenisa				
Tom Della Penna				
Tom Piorkowski				
Lee Trejo				
David Pileski				
TOTAL				

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of Roselle, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of Roselle as required in the Illinois Compiled Statues 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Village of Roselle, DuPage and Cook Counties, Illinois on the date set forth herein.

 Amanda Hausman, Village Clerk

(SEAL)

Exhibit A

Mailbox Replacement and Reimbursement Policy

DRAFT



MAILBOX REPLACEMENT AND REIMBURSEMENT POLICY

Purpose

It shall be the policy of the Village of Roselle to repair all mailboxes that have been damaged by **direct contact by a Village vehicle or Village equipment** or if impacted by work within the right-of-way by the Village or its contractors.

- **Mailboxes in Disrepair** - Properties identified as having mailboxes in disrepair will be notified with a deficient mailbox door tag/letter explaining the mailbox replacement policy. If the property owner makes repairs or replaces a mailbox that was identified as deficient, they shall notify Public Works regarding the work.
- **Snow Season Evaluation** - Before the snow season begins, plow operators will drive their assigned routes and make note of those mailboxes that may be a hazard. The driver will also note and photograph those mailboxes that are already in a state of disrepair for future consideration if contact is made by a Village vehicle or Village equipment.

Village Replacement versus Property Owner Replacement

- **Homeowner Replacement**

Occasionally during winter plowing, the windrow of snow coming off the snowplow will have a wave effect of snow across the top of the plow. This wave effect may dislodge mailboxes from the post. If this occurs, it shall be the responsibility of the property owner to replace the mailbox as no direct contact with a Village vehicle or Village equipment occurred.

The property owner will also be responsible for replacement if a private contractor, or any non-Village vehicle destroys or damages the mailbox.

Note: Under no circumstance will the Village replace in kind any non-standard mailboxes or posts, including but not limited to wrought iron, customized, decorator type, brick, or other special-order mailboxes, posts and/or related hardware. Such units are placed within the public right-of-way strictly at the risk of the property owner. The Village's liability shall not exceed the cost of a standard mailbox as hereby established.

- **Village Replacement**

If a mailbox and/or post are damaged or removed by **direct contact by a Village vehicle or Village equipment** or by work within the right-of-way by the Village or its contractors and is beyond repair, it is standard Village policy for the mailbox and/or post to be replaced by the Village with the Village of Roselle standard mailbox and wooden wolmanized 4"x4" post as illustrated on the attached Exhibit B.

Work within the right-of-way by the Village or its contractors may include mailboxes removed due to parkway maintenance, road widening, or utility installation.

If a non-standard mailbox and/or post are damaged or removed by **direct contact by a Village vehicle or Village equipment** or by work within the right-of-way by the Village or its contractors and is beyond repair, the standard procedure is that the Village will replace the mailbox and/or post with the approved standard mailbox and/or post. If the property owner chooses to have the non-standard or standard mailbox and/or post replaced through a separate contractor or by the property owner, the Village will reimburse the property owner the cost of materials for the approved standard mailbox and/or post up to the amount of **\$150.00** and it shall be the responsibility of the property owner to purchase and install the non-standard or standard mailbox and/or post.

Procedure for Mailbox Damage

The following procedure is required for reimbursement:

- **Report Mailbox Damage** - The property owner will call the Public Works Department or submit an online request (<https://www.roselle.il.us/584/Snow-Plow-Condition-Report-Form>) to report the damage within one (1) week of the end of a plowable snow event or the incident that caused the damage or removal. The Public Works Department will have determined when the plowable snow event had ended.
- **Mailbox Inspection** - The Public Works Department will inspect the damage for a direct Village vehicle or Village equipment strike, which will be followed by a response to the property owner with the findings of the investigation and next steps.
 - **If the damage is due to a direct Village vehicle or Village equipment strike or by work within the right-of-way by the Village or its contractors**, the property owner has two options:
 - **Mailbox Replacement by Public Works** – A standard mailbox and post will be supplied and installed by the Public Works Department
 - **Mailbox Reimbursement up to \$150.00** – Property owner to buy and install a new mailbox and/or post of their choice and submit for reimbursement up to \$150.00.
 - **If the damage is not due to a direct Village vehicle or Village equipment strike or by work within the right-of-way by the Village or its contractors**, the property owner will be informed that any repairs or replacement will be done at the property owner's sole expense.
 - If the homeowner disagrees with the determination of responsibility, they may submit a formal claim with the Village.
- **Temporary Mailbox** - The Public Works Department will set up and maintain a temporary mailbox and/or post for all reported instances of damage so that property owners will continue to receive mail by the end of the next business day. Once the permanent repairs/replacements are completed, the temporary mailboxes and/or posts will be collected.
- **Timing of Mailbox Repairs**
 - **Village Repairs** – Mailbox post repairs/replacements due to winter operations will take place following the winter season, but no later than second week in May. For all other repairs or replacements, the Village will inform the property owner of the schedule for replacement.
 - **Property Owner Repairs** – Property owners that have mailbox and/or post damage that choose to repair/replace themselves are responsible to submit receipts for materials to the Public Works Department. Once the repairs and/or replacements have been completed, Public Works Staff will inspect the completed work to make sure the installation was done properly. Pending proper installation confirmation, reimbursement will be made to the property owner for the materials purchased to make the repair up to **\$150.00**. Reimbursement checks will be processed as a pay request and will follow the same procedures as an invoice. All mailbox installation by the property owners must be completed by the second week of May, unless otherwise coordinated with Village.

Proper Installation of Mailbox and/or Post

Installation requirements for mailboxes and/or mailbox posts have been established by the Village of Roselle and the United States Postal Service, see Exhibit A on the following page. **Any reimbursement for mailbox repairs or replacements must follow the established installation requirements.** If the specifications are not followed, reimbursement will be denied, and any future damage will be solely at the property owner's expense. Prior to mailbox installation property owners must contact JULIE to locate all underground utilities, by dialing 811 or <https://www.illinois1call.com>.

Conclusion

The Village of Roselle Public Works employees are trained and taught to avoid mailboxes during snowplowing events and other operations. As accidents do happen, if the Village is responsible the Village will assist accordingly in the manner explained above. Additionally, if work within the right-of-way by the Village or its contractors will impact a mailbox, Village staff will notify the property owners in advance, whenever possible. For

further details, and in the event of mailbox damage please contact the Village of Roselle Public Works Department at (630) 980-2020 or submit your online request at <https://www.roselle.il.us/584/Snow-Plow-Condition-Report-Form>.

EXHIBIT A – PROPER MAILBOX INSTALLATION DIAGRAM

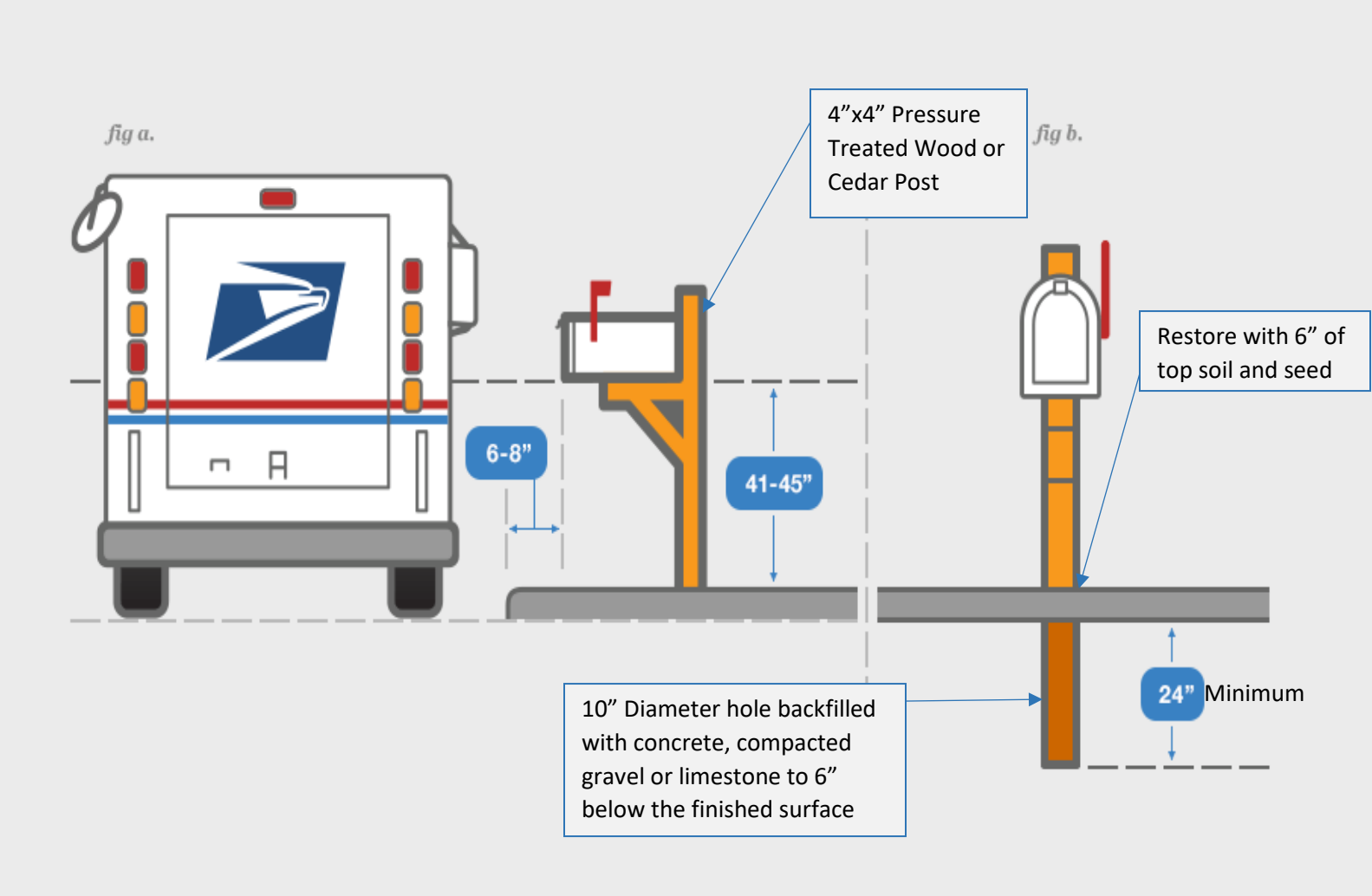


EXHIBIT B – STANDARD MAILBOX INSTALLED BY THE VILLAGE OF ROSELLE

