

**TOWN OF VIENNA ORDINANCE No. 10-20-14**  
**Mailbox Ordinance**

AN ORDINANCE OF THE TOWN OF VIENNA REGULATING  
PLACEMENT OF MAILBOXES WITHIN THE TOWN OF VIENNA  
AND PRESCRIBING THE STANDARDS AND PROCEDURES THEREOF

The Town Board of the Town of Vienna, County of Dane, State of Wisconsin, has determined that it is in the public interest of the Town to establish uniform standards and procedures for the placement of mailboxes within the Town of Vienna. The Town Board of the Town of Vienna does hereby ordain as follows:

**Section 1. Applicability and Enforcement**

- A. The provisions of this ordinance shall apply to all residents of the Town of Vienna who install, erect, or replace mailboxes along Town of Vienna road right-of-ways after the publication date of this ordinance.
- B. This ordinance shall be enforced by the officers of the Town of Vienna

**Section 2. Intent**

The intent of this ordinance is to require that accessible mailboxes be placed upon road right-of-ways in such a manner that allows for efficient snow clearance and the maintenance of road right-of-ways.

**Section 3. General Requirements**

All mailboxes shall meet U.S. Post Office, federal, and state requirements. Residents should contact the Post Office that serves their residence for mailbox placement guidance, instructions and measurements. All mailbox posts shall be designed to break away or break off upon the impact with any vehicle.

**Section 4. Mailbox Replacement**

- A. The Town of Vienna will replace mailboxes damaged only along Town roads where it has been determined that:
  - 1. Physical damage, which can be proven and documented by the resident of the Town, was caused by actual Town equipment contact;
  - 2. The mailbox is of standard design and placed in conformance with this ordinance, and
  - 3. The existing installation, mailbox, and mailbox post were in good condition and repair.

- B. The Town of Vienna will not replace mailboxes damaged only along Town roads where the Town has been determined that:
1. The mailbox was not of standard design or not placed in conformance with this ordinance even though it may have been damaged by Town equipment;
  2. The mailbox, post, and installation were not in good condition and repair; and
  3. Evidence indicates that the weight of plowed snow resulted in the damage to the mailbox and/or post.
- C. The replacement of mailboxes by the Town of Vienna shall be limited to a minimum standard U.S. Post Office mailbox with a standard 4" x 4" treated wood post. Special decorative mailboxes and/or posts will not be provided. If the resident wishes to install a decorative mailbox and/or post that meet standards, it shall be at the resident's expense. The Town will deliver a mailbox and/or post within ninety-six (96) hours of notification of damage provided it has been determined that it is the Town's responsibility to provide the replacement materials as indicated by this Section.

**Section 5. Penalties**

- A. In the event that any mailbox is deemed to be an obstruction or a road maintenance problem by the Town road maintenance personnel, the owner of the mailbox shall be notified in writing that the mailbox does not comply with the Town of Vienna Mailbox Ordinance standards and shall be repaired or replaced. Upon such notification, the resident shall have fifteen days (15) to make corrections in order to come into compliance with this ordinance. Any and all costs of repair or replacement shall be paid for by the resident and if any resident fails to pay the same, such costs may be placed upon the tax rolls as a special assessment.
- B. Mailboxes installed or maintained in violation of this ordinance shall be subject to removal pursuant to Section 86.04, Wis. Stats.
- C. The Town may take such other enforcement action as permitted under the laws of the state of Wisconsin.
- D. If the Town, pursuant to Section 6, is successful in any enforcement action, all Town costs, including reasonable attorneys' fees and costs, shall be charged against the resident; and if the resident fails to pay the same, such costs may be placed upon the tax rolls as a special assessment.

**Section 6. Town Not Responsible for Damage**

Except as specifically provided in this ordinance, the Town of Vienna shall have no responsibility or obligation for the repair or replacement of mailboxes or supports which may become damaged in the course of Town road maintenance activities regardless of whether the location requirements of this ordinance have been followed.

**Section 7. Severability**

If any section, subsection, paragraph, clause, sentence, phrase, or word contained in this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portion of this ordinance, which shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared to be severable

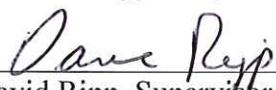
**Section 8. Effective Date**

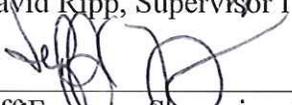
This ordinance shall be effective after adoption by the Town Board and publication and/ or posting as provided by law.

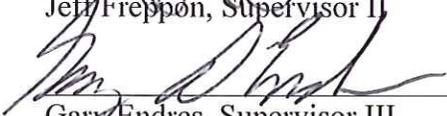
The foregoing ordinance was adopted at a regular meeting of the Town of Vienna Board held on October 20, 2014.

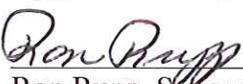
*Signed and dated October 20, 2014.*

  
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Lonnie Breggeman, Town Chair

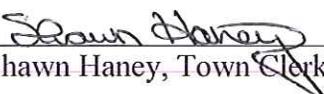
  
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David Ripp, Supervisor I

  
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Jeff Freppon, Supervisor II

  
\_\_\_\_\_  
Gary Endres, Supervisor III

  
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Ron Rupp, Supervisor IV

ATTEST:

  
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Shawn Haney, Town Clerk

POSTING DATE: October 21, 2014