

## ORDINANCE NO. 284

**AN ORDINANCE OF THE CITY OF CLARK FORK, IDAHO, PROVIDING FOR THE PLACEMENT OF MAILBOXES IN SAID CITY; DEFINING SPECIFICATIONS OF MAILBOXES; REGULATING LOCATION AND CONSTRUCTION OF THE SAME; PROVIDING RULES AND REGULATIONS FOR THE SAME; AUTHORIZING ENACTMENT OF RULES AND REGULATIONS FOR ENFORCEMENT AND IMPLEMENTATION OF THIS ORDINANCE; PROVIDING PENALTIES FOR VIOLATION HEREOF; AND PROVIDING A SAVINGS CLAUSE, SEVERABILITY, AND AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL** of the City of Clark Fork, Bonner County, Idaho:

- A. That the City Council of the City of Clark Fork, Idaho shall enforce this ordinance.
- B. A mailbox or newspaper delivery box, (hereafter referred to as mailbox) will be allowed to exist on the City's rights-of-way no closer than 5 feet off the edge of the pavement to the face of the mailbox and only in front of the property with the corresponding address with the approval of the property owner. Cluster Box Units (CBU), may be installed within the City limits and along the right-of-way with special permission from the City prior to installation.
- C. Mailboxes shall be of light metal or plastic construction, conforming to the requirements of the U.S. Postal Service. Newspaper delivery boxes shall be of light sheet metal or plastic construction of minimum dimensions suitable for holding a newspaper.
- D. No mailboxes will be allowed to exist on the City's rights-of-way if it interferes with the safety of the traveling public or the function, maintenance, or operation of the street system, including snow removal equipment. A mailbox installation that does not conform to the provisions of this chapter is an unauthorized encroachment under Idaho Code § 49-221(2); § 50-313; or § 50-314, and any amendments thereto.
- E. The location and construction of mailboxes shall conform to the rules and regulations of the U.S. Postal Service, as well as the Local Highway Technical Assistance Council's Manual for the Location, Support and Mounting of Mailboxes, dated April, 1997, (hereafter referred to as Mailbox Manual), which is hereby adopted by the City.
- F. The mailbox installation that conforms with the Mailbox Manual will be considered acceptable. Mailbox location, height, support, mounting and turnout construction shall be in accordance with the Mailbox Manual. All turnouts will be graveled and turnout construction will be the responsibility of the property owner of the mailbox.
- G. Any exceptions to the Mailbox Manual may be granted if, in the judgment of the City, the installation does not interfere with the safety of the traveling public or the function, maintenance, or the operation of the street system. Requests for any exception to the Mailbox Manual shall be in writing to the City. The request shall contain sufficient details to evaluate the requested exception.
- H. Mailbox Manuals are available at the Clark Fork City Clerk's Office located at 110 E. 3<sup>rd</sup> Avenue, Clark Fork, Idaho.
- I. It will be the responsibility of the postal patron to inform the City of any new or existing mailbox installation where turnout construction is inadequate or will not permit all-weather access to mailbox. An all-weather turnout is sufficiently stable to support passenger cars stopping regularly during all weather conditions. The sub-base (ballast), base and surface treatment are a requirement of all new or reconstructed turnouts, and shall be the same as the adjacent roadway section.

- J. No mailbox will be permitted where access is obtained from the lanes of an arterial or where access is otherwise prohibited by law or regulation. Where a mailbox is installed in the vicinity of an existing guardrail, it should, whenever practical, be placed behind the guardrail.
- K. Exceptions to the lateral placement criteria may exist on residential streets and certain designated rural roads where the City deems it is in the public interest to permit lesser clearances or to require greater clearances.
- L. Mailbox supports shall not be set in concrete, unless the support design has been shown to be safe by crash tests when so installed. A metal post shall not be fitted with an anchor plate, but it may have an anti-twist device (stabilizer fin) that extends no more than 10 inches (10") below the ground surface.
- M. The post-to-box attachment details should be of sufficient strength to prevent the box from separating from the post if the installation is struck by a vehicle. The product must result in a satisfactory attachment of the mailbox to the post, and all components must fit together properly.
- N. Any mailbox that is found to violate the intent of this ordinance shall be removed by the postal patron upon notification by the City. At the discretion of the City, based on an assessment of hazard to the public, the patron will be granted not less than 24 hours or more than 15 days to remove an unacceptable mailbox. After the specified removal period has expired, the unacceptable mailbox will be removed by the City at the postal patron's expense. The City shall not be liable to the postal patron for damage done to the mailbox, its support, or the surrounding area and for having to remove the unacceptable mailbox. The cost of the removal of the unacceptable mailbox shall be \$100.00.
- O. The sections of this ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.
- P. This Ordinance shall take full force and effect following its approval, passage, and publication according to law.

**PASSED AND APPROVED** by the City Council and the Mayor under suspension of the rules upon which a roll call vote was taken and duly enacted as an Ordinance of the City of Clark Fork, Bonner County, Idaho at a meeting of the Clark Fork City Council held on the 12<sup>th</sup> day of July, 2021.



*Russell Schenck*  
 Russell Schenck, Mayor

ATTEST:

*Amber M Burgess*  
 Amber Burgess, City Clerk

CITY COUNCIL MEMBERS	YES	NO	ABSENT
Stanley Spanski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shari Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jay White	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sharon Banning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>