

ORDINANCE NO. 18195

ORDINANCE ADDING CHAPTER 26, ARTICLE X, SECTION 26-211, MAILBOXES ORDINANCE OF THE CITY OF JOLIET CODE OF ORDINANCES

Adding Section Governing the Placement, Encroachment, and Settlement Limits on Mailbox Claims

WHEREAS, the Mayor and City Council of the City of Joliet, Illinois (City) has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Mayor and City Council have seen fit to enforce regulations regarding encroachments on public ways in order to promote the health, safety, and welfare of the citizens of the City of Joliet; and

WHEREAS, the Mayor and City Council recognize that, in order to protect the City of Joliet from unnecessary liability, regulations regarding the placement of mailboxes on public parkways should be enacted; and

WHEREAS, the Mayor and City Council recognize that these regulations should be designed to conform with the guidelines of the United States Postal Service; and

WHEREAS, the City of Joliet is a home rule unit of local government.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS, PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:

SECTION 1: The Mayor and City Council hereby find that the recitals contained in the remainder of this Ordinance are true, correct, and complete and are hereby incorporated into this Ordinance by reference.

SECTION 2: That Section 26-211, of the Code of Ordinances shall read as follows:

Sec. 26-211. Mailboxes.

- (a) Placement. Mailboxes which are placed in any parkway shall be positioned as follows: no less than six nor more than eight inches from the back of the curb; if there is no curb, then six to eight inches from the paved portion of the roadway. The height of the mailbox shall be not less than forty-one inches, nor more than forty-five inches from the ground.
- (b) Settlement; liability. The City of Joliet shall not be liable for, nor shall pay any damages for, any mailbox which is placed in violation of this Section. In the event that a mailbox is damaged as a result of municipal snow removal operations, and the City of Joliet is liable for damage caused to the mailbox, the City shall pay no more than \$100.00 per claim.

This figure represents the maximum recoverable amount for a standard mailbox. The City of Joliet shall not replace any wrought iron, customized, decorator type, stone, or other special-order mailboxes. Such units are placed within the public right of way strictly at the risk of the property owner. The City's liability shall not exceed the replacement cost of a standard mailbox.

SECTION 3: In the event that any provision or provisions, or portion or portions of this ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions or portions of this ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions.

SECTION 4: All ordinances directly in conflict with the terms of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be deemed severable and the invalidity of any portion hereof shall not invalidate the remainder.

SECTION 6: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED this 2nd day of March, 2021



MAYOR



CITY CLERK

VOTING YES: Councilwoman Gavin, Councilmen Hug, Lande, Morris, Mudron, Councilwomen Quillman, Reardon and Councilman Turk.

VOTING NO: None.

NOT VOTING: Mayor O'Dekirk.



City of Joliet

150 West Jefferson Street
Joliet, IL 60432

Memo

File #: 125-21

Agenda Date: 3/2/2021

TO: Mayor and City Council

FROM: James V. Capparelli, City Manager

SUBJECT:

Ordinance Adding Chapter 26 Article X, Section 26-211, Mailboxes Ordinance of the Code of Ordinances

BACKGROUND:

From time to time, mailboxes which are placed in the City owned parkways suffer damage; at times, the City is liable. There are currently no regulations which govern the placement of mailboxes, nor are there any published limits to potential liability. The US Postal Service has published regulations regarding placement of mailboxes.

This proposed ordinance adopts the regulations of the Postal Service regarding placement of mailboxes. The ordinance also limits the potential liability of the City by requiring proper placement of the mailbox, as well as instituting a maximum liability of one hundred dollars for the replacement of a standard mailbox.

This Ordinance was approved by the Legislative Committee.

RECOMMENDATION:

The Administration recommends that the Mayor and City Council approve an ordinance creating Chapter 26, Article X, Section 26-211 of the Code of Ordinances.



City of Joliet

150 West Jefferson Street
Joliet, IL 60432

Approver Report

File Number: 125-21

File ID: 125-21

Type: Ordinance

Status: Agenda Ready

In Control: City Council Meeting

File Created: 02/19/2021

Final Action:

Title: Ordinance Adding Chapter 26 Article X, Section 26-211, Mailboxes Ordinance of the Code of Ordinances

Attachments: mailboxord

Entered by: awyss@joliet.gov

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	2/22/2021	Sabrina Spano	Approve	2/24/2021
1	2	2/23/2021	James V. Capparelli	Approve	2/24/2021