

CITY OF DEPOE BAY

ORDINANCE NO. 306

AN ORDINANCE REGULATING THE PLACEMENT AND MAINTENANCE OF MAILBOXES IN THE PUBLIC RIGHT-OF-WAY WITHIN THE CITY OF DEPOE BAY; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; AND DECLARING AN EMERGENCY

WHEREAS, the City of Depoe Bay has jurisdiction and regulatory control over public rights-of-way within the City pursuant to the City Charter and state law; and

WHEREAS, pursuant to City Ordinance No. 238, City permission is required for any person to occupy or encroach on a public right-of-way; and

WHEREAS, the City Council of the City of Depoe Bay has determined it to be beneficial to the citizens of the City to allow placement of mailboxes in public rights-of-way within the City and provide a permit process to do so;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DEPOE BAY HEREBY ORDAINS:

1. Any mailbox erected on a public right-of-way or on public property within the City of Depoe Bay shall be subject to the provisions of this Ordinance No. 306 and Ordinance No. 238 regarding public rights-of-way generally.
2. All mailboxes erected shall strictly comply with all regulations regarding construction standards and physical placement promulgated from time to time by the United States Postal Service, including amendments thereto, and to the extent any such regulations regarding construction standards and physical placement conflict with the provisions of this code, the regulations shall control to the extent of conflict.
3. In no case may the mailbox support or the mailbox itself be closer than one foot to the vertical plane of the face of the curb, or, if there be no curb, closer than one foot to the vertical plane of the traveled portion of the roadway.
4. No person shall install any mailbox at any location which interferes in any way with the vehicular traffic, including access to driveways, alleyways or intersections. The mailbox shall comply with the zoning codes as to height, clear vision, and setbacks, if applicable.
5. No mailbox shall be installed until the owner has complied with the Locate System and obtained a mailbox permit from the City of Depoe Bay; and in no case shall any mailbox be located in a way to damage any property, including utility lines, cable or pipes. The installer thereof, including the owner, or any contractor, shall be strictly liable for damage caused by installation or maintenance of the mailbox.
6. One additional receptacle for deliveries such as newspapers and advertisements is allowed but must be installed directly underneath the mailbox.

7. The City of Depoe Bay shall have no obligation to maintain access to any mailbox during any construction, reconstruction, or maintenance operations. It shall be the obligation of the owner of such mailbox to insure access to the mailbox.
8. The City of Depoe Bay shall not be responsible for any damage to mailboxes resulting from any maintenance or operations employed by the City of Depoe Bay. In no case will the City of Depoe Bay be responsible for damage to mailboxes unless clearly the result of negligence on the part of the City of Depoe Bay.
9. The City shall have the power to order the removal of any mailbox or support which violates the requirements of this ordinance and results in the revocation of the mailbox permit.

WHEREAS, the adoption of this ordinance is necessary to preserve peace, health, safety and welfare of the citizens of the City of Depoe Bay, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its adoption by the City Council and approval by the Mayor.

Introduced and passed the first reading in a regular meeting of the City Council of the City of Depoe Bay, Oregon on this 19th day of July, 2016.


Passed at the second reading, placed on final passage, and adopted by the City Council of the City of Depoe Bay, Oregon on this 19th day of July, 2016.

Approved by the Mayor of the City of Depoe Bay, Oregon, this 19th day of July, 2016.

CITY OF DEPOE BAY



 Mayor

Attest: 

 City Recorder