

ORDINANCE NO. 386

AN ORDINANCE REGULATING THE PLACEMENT OF MAILBOXES IN THE PUBLIC RIGHT-OF-WAY WITHIN THE CITY OF FOWLER, KANSAS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FOWLER, KANSAS:

SECTION 1: That any mailbox erected within the City of Fowler, Kansas shall be subject to the provisions of this Ordinance.

SECTION 2: That all mailboxes erected shall strictly comply with all regulations promulgated from time to time by the United States Postal Service (“USPS”), including amendments thereto, and to the extent any such regulations conflict with the provisions of this Ordinance, the regulations shall control to the extent of the conflict.

SECTION 3: That no mailbox shall be erected or placed without the property owner having first applied for and obtained a permit for the same from the City of Fowler, Kansas.

SECTION 4: That a property owner with a physical address on the mail route designated by the USPS within the City of Fowler, Kansas shall place any approved mailbox in the right-of-way abutting the property and in no case may the mailbox support or the mailbox itself be closer than one (1’) foot to the vertical plane of the curb, or if there be no curb, closer than one (1’) for the vertical plane of the traveled portion of the roadway. Mailboxes shall be 42-45” above the street level.

SECTION 5: That no person shall install or erect any mailbox at any location which interferes in any way with the vehicular traffic, including access to driveways, alleyways, or intersections. The mailbox shall be installed on the right-of-way abutting the owner’s property and shall comply with the zoning codes as to setbacks, improvements and buildings.

SECTION 6: That rights-of-way abutting Highway 98 within the corporate limits of Fowler, Kansas are controlled by the State of Kansas and no permits for erection of any mailbox shall be granted for properties abutting Highway 98.

SECTION 7: That no property owner, resident, or occupant with a physical address on the mail route designated by the USPS within the City of Fowler, Kansas shall allow or permit any other party, person, entity, or property owner to erect or install a mailbox upon property of the owner, resident, or occupant of the property.

SECTION 8: That a violation of this Ordinance shall be an unclassified misdemeanor in the City of Fowler, Kansas and is punishable by a fine of up to \$500.00 or imprisonment for up to thirty (30) days, or both. Each day the violation exists constitutes a separate and additional offense.

SECTION 9: That the City of Fowler, Kansas shall not be responsible for any damage to mailboxes resulting from any maintenance or operations or employees acting in their capacity as employees of the City of Fowler, Kansas, including but not limited to snow removal operations.

SECTION 10: This Ordinance shall be in full force and effect from and after its adoption and summary publication in the Meade County News.

ADOPTED AND APPROVED THIS 18th DAY OF October , 2018.

DUDLEY STRONG, Mayor

ATTEST:

JAMIE BOESE, City Clerk