

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR RATH**

Re: Urging NYS to Require Replacement of Mailboxes Damaged During Snow Removal

WHEREAS, mailboxes are necessary fixtures on every property that expects to receive mail from the U.S. Postal Service. Residents are often required, by their municipality, to place their mailboxes on or near a right-of-way in order to ensure delivery of mail; and

WHEREAS, during winter months it is common for municipal snow plows to accidentally strike mailboxes while clearing streets, this is especially common in neighborhoods where mailboxes are placed adjacent to the right-of-way; and

WHEREAS, in past years, some streets in Erie County have seen dozens of boxes destroyed in one weekend; and

WHEREAS, many municipalities, including Erie County, replace accidentally damaged mailboxes as a courtesy to the homeowner in the unfortunate event the box is struck by a municipal plow; and

WHEREAS, while it is common for mailboxes to be replaced, most municipalities will only do so in the event the box is rendered unusable; even then, the replacement is typically a standard issue as opposed to an in-kind replacement; and

WHEREAS, there is no requirement in state law that any municipality replace mailboxes accidentally damaged by municipal plows; and

WHEREAS, this honorable body finds that because residents must place mailboxes near the street in the path of snow removal vehicles municipalities should be required to replace mail boxes their drivers accidentally damage during snow removal.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby requests the New York State Legislature incorporate a requirement into New York State law to ensure municipalities replace mailboxes accidentally struck by municipal plows; and, be it further

RESOLVED, that this honorable body hereby asks New York to examine the cost for an in-kind replacement program to be implemented across the state; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegation to the New York State Legislature and any other party deemed necessary and proper.

Fiscal Impact: None for resolution