

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 12.36.020 (SETTLEMENT) OF CHAPTER 12.36 (MAILBOXES OF TITLE 12 (STREETS AND SIDEWALKS) OF THE CITY OF CREST HILL CODE OF ORDINANCES**

**WHEREAS**, the City Council of the City of Crest Hill 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 to amend those ordinances from time to time as it sees fit; and

**WHEREAS**, the City of Crest Hill has previously exercised said authority by adopting Title 12 (Streets and Sidewalks), Chapter 12.36 (Mailboxes) which sets out regulations for the placement of Mailboxes within the City of Crest Hill, including a process for compensating City residents for damage to mailboxes which comply with Section 12.36.010 and are damaged by City snow removal operations; and

**WHEREAS**, Chapter 12.36.020 (Settlement) currently contains a schedule of the maximum amounts that the City will pay for a single Section 12.36.010 compliant mailbox damaged by snow removal operations [Section 12.36.020(A)] and the maximum amounts the City will pay for damage to multiple Section 12.36.010 compliant mailboxes per post when damaged by City snow removal operations; and

**WHEREAS**, pursuant to its express authority granted by the Illinois Municipal Code, the City of Crest Hill has from time to time deemed it necessary to amend its Code of Ordinances; and

**WHEREAS**, the City Council has determined that Section 12.36.020 (Settlement) should be amended to increase the maximum amounts to be paid to City residents for damage to compliant mailboxes which results from City snow removal operations.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Crest Hill, Illinois, as follows:

**SECTION 1: PREAMBLE.** The preamble of this Ordinance is declared to be true and correct and is incorporated by reference as if fully set forth in this Section 1.

**SECTION 2: APPROVAL.** Section 12.36.020 (Settlement) of Chapter 12.36 (Mailboxes) of Title 12 (Streets and Sidewalks) of the City of Crest Hill Code of Ordinances is hereby repealed in its entirety and replaced as follows, with all other sections of Chapter 12.36 remaining unchanged:

**CHAPTER 12.36: MAILBOXES**

**Section**

**12.36.010 Placement**

- 12.36.020 Settlement
- 12.36.030 Temporary mailbox
- 12.36.040 Notifications

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#### **§ 12.36.020 SETTLEMENT.**

(A) The City of Crest Hill shall not be liable for, nor shall it pay any claim for damage to any mailbox which is placed in violation of § 12.36.010. If a mailbox compliant with this Chapter 12.36 is damaged as a result of municipal snow removal operations, the owner of the mailbox may submit a claim for payment to the city. The maximum amount for which the city will be responsible for any claim is \$250.00 per claim. This amount is the maximum recoverable amount for a standard mailbox. To receive payment, the repairs to or the replacement of the standard mailbox must be considered permanent, which would include a whole new mailbox, new sleeve, new box, or new post. Use of bungee cords, duct tape, wood shims, or baling wire shall not be considered a permanent repair. The city shall not be responsible for replacement of wrought iron, customized, decorator, stone, or other specialty mailboxes in-kind as 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. To submit a claim, the owner must contact the City of Crest Hill Public Works Department to report the claimed damage. The Public Works Department will investigate the claim and make a determination as to whether the claim is valid. If a claim is found to be valid, the owner will be required to complete a written claim form and submit the form with receipt(s) for the mailbox repairs or replacement. Under no circumstances will the city be responsible for making repairs or replacing a damaged mailbox. It is the owner's sole responsibility to make those repairs or have them made.

(B) For situations with more than one mailbox per post the following maximum reimbursement amounts will apply:

- (1) Two mailboxes: no more than \$300.00
- (2) Three mailboxes: no more than \$325.00
- (3) Four or more mailboxes: no more than \$350.00

The same claim submittal and processing procedure outlined in Section 12.36.020(A) will apply to claims for damage to multiple mailboxes on a single post.

(Ord. 1868, passed 8-2-21)

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**SECTION 3: SEVERABILITY.** If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provision of this Ordinance.

**SECTION 4: REPEALER.** All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**SECTION 5: EFFECTIVE DATE.** This Ordinance shall be in full force and effect immediately upon its passage and publication according to law.

***[LEFT INTENTIONALLY BLANK]***

PASSED THIS 20<sup>TH</sup> DAY OF JANUARY, 2025.

	Aye	Nay	Absent	Abstain
Alderwoman Jennifer Methvin	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

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Christine Vershay-Hall, City Clerk

APPROVED THIS 20<sup>TH</sup> DAY OF JANUARY, 2025.

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Raymond R. Soliman, Mayor

ATTEST:

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Christine Vershay-Hall, City Clerk