

## **TOWN OF BENNINGTON MAILBOX POLICY**

The Highway Superintendent and the State of New York have a duty to keep roadways available for public use. Snow removal and snow storage are incident to that use. When the necessity of keeping the highway open for vehicles conflicts with the individual's receipt of mail, the latter must stand aside. The owner might even be compelled to remove the box under Highway Law Section 319.

The owner has no right to interfere with the speedy and efficient removal of snow by placing a mailbox in such a position as to cause this result, and no liability on the part of the public official charged with the duty of snow removal if such box is so placed that it may be injured by proper highway maintenance. (Informed opinion, Attorney General 2/28/66)

If your mailbox has been damaged by our plows during a storm, please call our office. We will send the Superintendent out to inspect the damage, and if he finds the damage to be caused by one of our plows physically striking the mailbox, we will repair or replace it at our discretion. If the damage is caused by the weight of the snow being plowed off the road, which is usually the case, the homeowner will be required to replace or repair the box at their expense. Note: The Town will replace mailboxes with units of a standard construction.

In order to survive snow removal operations, a mail box must be properly situated, constructed and maintained. USPS regulations are available at <https://www.usps.com/manage/mailboxes.htm> Access is also the responsibility of the owner to maintain. Check your mailbox and post annually for proper height and sturdiness. If you can wiggle the mailbox or post, it most likely will not survive many more snowstorms. In our opinion, a standard size metal bar box on a T-type (cross arm) post hold up better than large boxes or plastic boxes.