

TOWNSHIP OF WEST HEMPFIELD

Lancaster County, Pennsylvania

RESOLUTION No. 07-21

A RESOLUTION OF THE BOARD OF SUPERVISORS OF WEST HEMPFIELD TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, ESTABLISHING A POLICY FOR THE REPLACEMENT OF MAILBOXES THAT BECOME DAMAGED DURING SNOW EVENTS.

WHEREAS, Section 2301 of the Second Class Township Code, Act of May 1, 1933 (P.L. 103, No. 69), reenacted and amended November 9, 1995 (P.L. 350, No. 60), as amended, authorizes the Board of Supervisors to expend public funds for the maintenance of all public roads; and

WHEREAS, Section 2309 of the Second Class Township Code states that public roads in townships shall, as soon as practicable, be effectually opened; and

WHEREAS, in the past, during the performance of snow removal activities from the Township's public roads, numerous mailboxes have been damaged as a result of such snow removal; and

WHEREAS, many of the property owners and residents who have had their mailboxes damaged have requested that the Township replace their mailboxes; and

WHEREAS, the Board of Supervisors have had an unwritten policy for many years and now wish to formalize this policy as a resolution of the Township.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Board of Supervisors of West Hempfield Township, Lancaster County, Pennsylvania, as follows:

Section 1. The Board of Supervisors of West Hempfield Township hereby establishes a uniform policy relative to the replacement of mailboxes as follows:

- a. Replacement of mailboxes shall be made for any Township property owner or resident whose mailbox has been damaged by Township owned or leased equipment making actual physical contact with said mailbox.

- b. Upon notice that mailbox damage has occurred, the Township shall determine if, in fact, the damage occurred as a result of Township owned or leased equipment making actual physical contact with said mailbox.
- c. Should it be determined that, in fact, the damage occurred due to Township owned or leased equipment making actual physical contact with said mailbox, the Township shall replace said mailbox.
- d. The replacement mailbox shall consist of a standard U.S. Postmaster Approved mailbox selected by the Township. The Township will not provide custom replacements or upgrades.
- e. No one shall receive a replacement mailbox as a result of damage that occurred only as a result of, and from, the force of snow being discharged during snowplow operations and did not involve actual physical contact being made with said mailbox by Township owned or leased equipment.

Section 2. In the event any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, section, sentences, clauses, or parts of this resolution, it being the intent of the Board of Supervisors that the remainder of the Resolution be and shall remain in full force and effect.

Section 3. This Resolution shall take effect and be in force immediately.

DULY ADOPTED the 6th day of April 2021, by the Board of Supervisors of the Township of West Hempfield, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WEST HEMPFIELD
Lancaster County, Pennsylvania

Attest: Adam B. St
(Assistant) Secretary

By: David M. Sumner
(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]

