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ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 120 OF THE MUNICIPAL CODE TO CLARIFY PLACEMENT REQUIREMENTS OF STANDARD MAILBOX ASSEMBLIES

WHEREAS, on February 21, 2025, the Town Council approved Ordinance 851, amending the municipal code to add Chapter 120 regarding mailboxes and the installation requirements thereof; and

WHEREAS, after additional evaluation, it is evident that the placement of standard mailboxes, compared to cluster mailboxes, requires further consideration and adjustments.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Commissioners of the Town of Dewey Beach, Sussex County, Delaware, in session met, as follows:

Section 1. Amend Chapter 120 of the Code of Ordinances as depicted by strikeouts and substitutions depicted below:

§120-1. Placement of mailbox assemblies.

- A. No new or replacement mailbox assembly will be allowed to exist on the Town’s rights-of-way if it interferes with the safety of the traveling public, public parking, or the function, maintenance, or operation of the roadway or utility systems, or that interferes with pedestrian traffic. A mailbox installation that does not conform to the provisions of this chapter is an unauthorized encroachment under 2 Del. Admin. Code §7.4.
- B. The location and construction of mailbox assemblies shall adhere to the regulations, rules and requirements of the United State Postal Service, as amended, as well as to town requirements. As of the enactment of this Chapter, USPS requirements include but are not limited to the following:
 - 1. The mailbox shall be positioned 41” to 45” from the road surface to the bottom of the mailbox or point of mail entry.
 - 2. The mailbox shall be positioned 6” to 8” back from the curb.
 - 3. The house or apartment number shall be clearly posted on the mailbox.
- C. **Standard** mailbox assemblies must be placed no more than 36” from the corner of the driveway entrance.
- D. On streets without a raised curb, the mailbox shall be positioned 8” to 12” from the edge of the street pavement.

Section 2. Severability. If any provision of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any

46 other provision of this Ordinance which may be given effect without such invalid or unenforceable
47 provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

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49 **Section 3.** Effective immediately upon enactment by Town Council. Adopted by at least a majority of
50 the Commissioners of the Town of Dewey Beach on this – day of --, 2025.

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52 SYNOPSIS
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54 This Act specifies that only standard mailbox assemblies must be placed no more than 36” from the
55 corner of a driveway entrance, allowing cluster mailboxes to be placed in other locations as deemed
56 acceptable by the town and USPS.

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William Stevens, Mayor

Bill Zolper, Town Manager