

ORDINANCE NO. 1994 - 30

**AN ORDINANCE ESTABLISHING PLACEMENT OF
MAILBOXES AND NEWSPAPER BOXES ALONG TOWNSHIP
ROADWAYS.**

It is hereby ordained and enacted by the Supervisors of Marion Township, Centre County, Pennsylvania, as follows:

SECTION ONE. DEFINITIONS.

"Owner" - the term "owner" or "owner of property" shall include the following:

- A. legal owner;
- B. equitable owner;
- C. lessee or tenant;
- D. occupant;
- E. trustee in possession

"Box" or "Boxes" - the term "box" or "boxes" shall include United States Postal Service boxes for the receipt of United States Mail, newspaper boxes for the receipt of various newspapers.

SECTION TWO. The erection and continued maintenance of mailboxes for the receipt of United States Mail and newspaper boxes for the receipt of various newspapers within the right of way existing along Township roads is recognized and acknowledged. However, in order to improve safety, facilitate snow removal and road maintenance, Marion Township shall permit the continued erection and maintenance of such mail and paper boxes only if the following conditions are met.

- A. Boxes shall be erected no closer than six (6) feet from the closet point of pavement of the cartway to the portion of the box closest to the cartway. In the event a physical obstruction such as a steep bank, ditch or other obstruction exists, the owner shall be required to relocate the boxes to a point meeting the requirements of this ordinance. If, there is no other appropriate site the owner shall be permitted to locate the box closer to the cartway while maintaining the maximum possible distance from the cartway.
- B. The municipality shall not be responsible for damage to improperly placed boxes which occurs due to normal snow removal or maintenance operations.

SECTION THREE. REPEALER. All ordinances and regulations inconsistent herewith are hereby repealed.

SECTION FOUR. PENALTIES. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600.00 and in default of payment thereof, imprisonment for term not to exceed thirty (30) days.

In addition to the fines and costs set forth in the preceding paragraph, improperly placed boxes may be removed by the municipality and relocated at an acceptable location with the violating party responsible for all costs incurred with such relocation.

SECTION FIVE. SEVERABILITY. If any sentence, clause, section or part of this ordinance is found to be unconstitutional, illegal or invalid, such findings shall not affect or impair any of the remaining parts of this ordinance. It is hereby declared to be the intent that this ordinance would have been adopted and such part not been included.

ENACTED AND ORDAINED this 11th day of May, 1994.