

**TOWN OF CEDARBURG
ORDINANCE NO. 2009-5**

**An Ordinance to Amend Section 279-7, Structures and construction in Town right-of-way,
of the Town of Cedarburg Code of Ordinances, Ozaukee County, Wisconsin.**

- WHEREAS,** the Town of Cedarburg regulates structures and construction in the Town right-of-way; and,
- WHEREAS,** the Town is concerned with the public health, safety, and welfare of its residents; and,
- WHEREAS,** the Town regulates the location of mailboxes to ensure safety of residents and functionality for public works operations, in coordination with the United States Postal Service; and,
- WHEREAS,** residential subdivisions in the Town consist of large rural lots without sidewalk improvements to preserve the rural character of the Town; and,
- WHEREAS,** the Town works to preserve rural character as defined in the Town of Cedarburg Comprehensive Plan: 2035,

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, that the following portions of Section 279-7 of the Town of Cedarburg Code of Ordinances is hereby amended to read as follows:

**(The text modified with a strikethrough shall be deleted).
(The text modified with an underline shall be added).**

§ 279-7. Structures and construction in Town right-of-way.

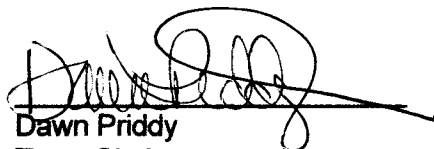
- A. Permit required. No person, persons, partnership, company or corporation shall erect or install any structure, sign, fence, lighting, wall, pavement or other vehicle access nor perform or arrange for any construction within or upon the Town highway right-of-way without first obtaining a written permit from the Town, with the exception of a mailbox and boxes installed for the delivery of newspapers. **[Amended 10-4-2006 by Ord. No. 2006-11]**
- B. Mailboxes. Mailboxes shall be installed in accordance with United States Postal Service regulations, except as it pertains to the clustering of mailboxes in all residential zoning classifications. Mailboxes shall not be clustered (two or more mailboxes per post) due to the typical lot size in residential zoning districts and for the purpose of preserving the Town's rural character. only one mailbox per lot is permitted. Mailboxes shall be installed within six (6) feet from the edge of the approach side (or if exiting the driveway, on the left side) of the driveway for each lot to minimize the safety risk of residents walking in the Town right-of-way. ~~as far from the Town highway pavement as United States Postal Service regulations allow.~~ Mailbox supports and attachments shall be strong enough to withstand the pressure and thrust of plowed, wet snow but shall not be so formidable and massive as to damage vehicles and cause serious injury to people who may accidentally strike them.

C. Existing structures and obstructions. Any existing structure, sign, fence, wall, pavement or other obstruction (including trees) which, in the judgment of the Town, will prevent proper snow removal from the pavement and shoulders or mowing of the ditches of the Town highway shall be removed by the owner or occupant of the adjacent property within 15 days of receiving written notice from the Town. If the owner or occupant does not remove said structure or obstruction within the allotted time, the Town shall remove it or make arrangements to have the obstruction removed and the expense of removal shall be charged to the adjacent property as a special assessment, after notice and hearing.

**(The above text modified with a strikethrough shall be deleted).
(The above text modified with an underline shall be added).**

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 4th day of February, 2009.


Dawn Priddy
Town Clerk


David M. Valentine
Town Chairman