**Town of Nichols Highway Department**

170 Buck Road, Nichols NY 13812 phone 607-687-1034

**Town of Nichols Highway Department Policy on Mailbox Damage**

It is understood that mailboxes must be placed on the highway right-of-way; however this does not grant people any legal rights in the highway when needed for highway purposes. According to New York State’s Highway Law, when the necessities of keeping the highway open conflict with the reception of mail, the latter must stand aside. Under the law, a homeowner could even be required to remove the mailbox.

Regrettably, in extreme winter conditions, mailboxes can be damaged during snow removal because they are installed too close to the road in the highway right-of-way as a courtesy to the US Postal Services. In most cases, damage is a result of the force of snow coming off a plow’s blade. This scenario is dependent on weather conditions, amount of snowfall, and the weight of snow. At times, a Town or private contractor’s plow will accidentally hit and damage a mailbox.

This is an unfortunate consequence of snow removal with heavy equipment in challenging weather conditions.

How can you determine how your mailbox was damaged? Typically, if a mailbox is pushed over and has no impact marks, it is probably knocked over by the weight of the snow coming of the plow’s blade. If the mailbox or post shows evidence of an impact, it may have been struck by a Town or private contractor’s plow blade or a passing vehicle. The angle at which a mailbox has fallen also helps to determine the source of damage.

If a Town of Nichols’ plow directly hits and damages a mailbox, the town will issue a check for $25 to defray the cost of a new mailbox. The Town is not responsible for replacing designer boxes, post, or any style newspaper box. (If you have such a box, you may want to consider removing it for the winter months and replace it with a standard box.) Boxes need to be installed per US Post Office Regulations see the UPSP website for more information. (https://www.usps.com/manage/mailboxes.htm). If a mailbox is damaged from snow coming off a plow blade the Town will not replace the mailbox. If a private contractor plows your driveway, we recommend that you learn their policies regarding damage to your (or your neighbor’s) property caused by their operators or equipment.

Mailboxes are reimbursed only if hit by snowplow equipment, so check your mailbox, newspaper box and the supporting posts in the fall: perform the “shake test”. If the post is already “shaky”, chances are the post is unstable in the ground, and will not withstand the pressure of flying snow. Check your mailbox for loose or missing parts before winter.

If you believe the Highway Department is responsible for damage to your mailbox, please call the highway department at 607-687-1034