

Town of Victory Highway Department Mailbox Policy

The Town of Victory Highway Department would like to remind property owners that during the winter months, snow and ice removal is the priority operation for maintenance forces. While it is unfortunate that encounters with rural delivery mailboxes occur, it is an unintended consequence of providing safe driving conditions for those traveling along maintained routes. Most mailbox damage is a direct result of snow being cast off of the wing, not direct wing/plow contact.

Property owners occasionally contact the Department requesting that they be reimbursed for damaged or broken mailboxes. While any damage is an unintended consequence of clearing snow and ice, there is no statutory or legal responsibility which grants a property owner any right to place a mailbox within the Right of Way. Highway Law Section 319 supports this policy as does an opinion from the Attorney General stating that, "The owner has no right to interfere with the speedy and efficient removal of snow by placing the mailbox in such a position as to cause this result, and no liability results on the part of the public official charged with the duty on snow removal if such box is so placed that it may be injured by proper highway maintenance." Therefore the Town of Victory does not replace, repair, or reimburse for, damaged mailboxes or newspaper boxes.

The mailbox is on Town, County or State Right of Way and is a courtesy to the postal service. Thus when the necessity of keeping the highway open conflicts with mail delivery and receipt the latter must stand aside.

Property owners' may reduce the risk of mailbox damage due to snow and ice removal by ensuring their mailbox is properly erected and secure.

The Department appreciates your understanding in this matter and would like to remind all property owners that clearing the highways of snow and ice during the winter months is done with the intent of providing safe passage for motorists who use the transportation system. The Department undertakes this mission so that everyone may travel safe, well maintained highways during the winter months.

As a reminder it is not only illegal to throw or plow snow into the road but can create an icy patch that freezes over and causes a hazardous condition.