

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
O R D I N A N C E**

ORDINANCE NO. 006-2026

**AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER 13
(STREETS, SIDEWALKS AND SANITATION) OF THE CODE OF UPPER TOWNSHIP
TO ESTABLISH A MAILBOX DAMAGE AND RESTORATION POLICY**

WHEREAS, the Township of Upper performs essential snow removal operations to ensure the safety and mobility of the public during winter weather events; and

WHEREAS, the weight of snow discharge and the operation of heavy machinery in the municipal right of way can occasionally result in damage to mailboxes; and

WHEREAS, the Township Committee desires to establish a uniform and compassionate policy to address such damage while protecting the fiscal interests of the taxpayers.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee, in the Township of Upper, County of Cape May and State of New Jersey, as follows:

SECTION 1. Chapter 13 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

SECTION 13-8 – MAILBOX DAMAGE AND RESTORATION POLICY.

13-8.1 Scope of Liability. The Township of Upper adopts a Total Force liability standard for mailbox damage occurring during official snow removal operations along roadways that are serviced by the Township of Upper during a snow event. This policy shall not extend to damages incurred to properties along County or State roadways that are not caused by the Township of Upper and/or its agents or employees. The Township shall accept responsibility for mailboxes that are either physically struck by municipal equipment or rendered inoperable due to the force and weight of snow that is discharged by municipal equipment.

13-8.2 Eligibility Requirements. To be eligible for remediation under this section, the damaged mailbox must have been installed in accordance with United States Postal Service (USPS) standards regarding required height and required setback from the roadway. Mailboxes that were rotted, unstable, or improperly installed prior to the weather event are not eligible for reimbursement.

13-8.3 Claim Process.

a. Notification: The property owner must notify the Department of Public Works of the damage within 48 hours of the conclusion of the snow event.

b. Inspection: A Public Works representative shall inspect the site within 72 business hours of notification to validate the claim and confirm compliance with installation standards.

13-8.4 Remediation and Reimbursement.

a. Financial Reimbursement: Upon validation of the claim, the Township shall issue a one-time payment of \$50.00 to the property owner of record. This payment is intended to cover the cost of materials for a standard mailbox and post.

b. Annual Limit: Reimbursement is limited to one (1) occurrence per property, per calendar year.

c. Discretionary Installation: In the sole and absolute discretion of the Superintendent of Public Works, the Township may perform the physical installation of a standard mailbox and post for residents who are elderly and/or who possess a physical disability that prevents them from performing the repair. This service is provided on a case-by-case basis and is subject to the availability of Township personnel.

SECTION 2: REPEALER: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 3: EFFECTIVE DATE: This Ordinance shall take effect immediately upon final adoption and publication as required by law.

SECTION 4: SEVERABILITY: If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

SECTION 5: CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

ATTEST:

JOANNE R. HERRON, Township Clerk

CURTIS T. CORSON, JR., Mayor

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 25TH DAY OF FEBRUARY, 2026 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 9TH DAY OF MARCH, 2026 AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

Legislative History:

Introduced: February 25, 2026

Publication: February 28, 2026

Newspaper(s): The Press of Atlantic City

Second Reading and Public Hearing: March 9, 2026

Final Adoption: March 9, 2026

Final Publication Date: March 14, 2026

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on March 9, 2026 and notice of adoption was thereafter published pursuant to law in the Press of Atlantic City on March 14, 2026.

JOANNE R. HERRON, Township Clerk