

TOWN OF BROTHERTOWN
CALUMET COUNTY, WISCONSIN

ORDINANCE NUMBER 97- /

**AN ORDINANCE TO REGULATE THE PLACEMENT OF
NEWSPAPER DELIVERY BOXES**

The Town Board of the Town of Brothertown, Calumet County, Wisconsin, pursuant to Section 66.22, Wis. Stat., and its village powers under Chapter 61, Wis. Stats., in order to promote public safety and welfare, and preserve the good order of the Town, deems it necessary and appropriate to regulate the placement of newspaper delivery boxes in the town highway rights-of-way and, therefore, do ordain as follows:

SECTION 1. DEFINITIONS

The following terms and phrases as used in this ordinance shall have the following meanings:

1.1 "Mailbox" means a container used as a depository for the delivery of mail by the U.S. Postal Service and which conforms to the rules and regulations of the U.S. Postal Service.

1.2 "Newspaper delivery box" means a container placed within the right-of-way of a public highway, used as a depository for the rural delivery of a newspaper or other similar type of publication. Newspaper delivery box does not include a mailbox.

1.3 "Public highway" means that portion of the right-of-way of a town highway, county highway, or state highway located in the Town of Brothertown, Calumet County, Wisconsin.

SECTION 2. REGULATION OF LOCATION OF NEWSPAPER DELIVERY BOXES

No person shall locate or install a newspaper delivery box on a public highway except at a location which is within twelve (12) inches below or on either side of a mailbox.

SECTION 3. PENALTY

Any person who violates this ordinance shall be subject to a forfeiture of not less than \$ 25.00 nor more than \$ 100.00, together with the costs of prosecution, and shall remove the newspaper delivery box within 2 days of notice of violation. Each day of violation shall be a separate offense under this ordinance.

SECTION 4. SEVERABILITY

If any portion of this ordinance is found to be illegal, void or unconstitutional by a court of competent jurisdiction, said finding shall not affect the remaining portions of this ordinance which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE

This ordinance shall be effective on Jan. 1 - 1998.

Adopted this 2 day of Dec, 1997.

ATTEST:

TOWN OF BROTHERTOWN

Darlene Steffes
Darlene Steffes, Clerk

Jeanold Puetz
Jeanold Puetz, Chairperson

Dan Lamb
Dan Lamb

Delmar Buechel
Delmar Buechel