



## **CITY OF CARMEL-BY-THE-SEA CITY COUNCIL AGENDA**

Mayor Dave Potter, Councilmembers Jeff Baron,  
Alissandra Dramov, Karen Ferlito, and Bobby  
Richards  
Contact: 831.620.2000 [www.ci.carmel.ca.us](http://www.ci.carmel.ca.us)

All meetings are held in the City Council Chambers  
East Side of Monte Verde Street  
Between Ocean and 7th Avenues

### **CITY COUNCIL SPECIAL MEETING Monday, November 6, 2023 4:30 PM**

#### **HYBRID MEETING ATTENDANCE OPTIONS**

This meeting will be held in person and via teleconference ("hybrid"). The public is welcome to attend the meeting in person or remotely via Zoom, however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, you may also watch the live stream on the City's YouTube page at: <https://www.youtube.com/@CityofCarmelbytheSea/streams>. To participate in the meeting via Zoom, copy and paste the link below into your browser.

**<https://ci-carmel-ca-us.zoom.us/j/88307408501> Meeting ID: 883 074 08501 Passcode:  
312854 Dial in: (253) 215-8782**

#### **HOW TO OFFER PUBLIC COMMENT**

The public may give public comment at this meeting in person, or using the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to [cityclerk@ci.carmel.ca.us](mailto:cityclerk@ci.carmel.ca.us). Comments must be received at least 2 hours before the meeting in order to be provided to the legislative body. Comments received after that time and up to the beginning of the meeting will be made part of the record.

#### **CALL TO ORDER AND ROLL CALL**

#### **PUBLIC APPEARANCES**

Members of the Public are invited to speak on any item that does not appear on the Agenda and that is within the subject matter jurisdiction of the City Council. The exception is a Closed Session agenda, where speakers may address the Council on those items before the Closed Session begins. Speakers are usually given three (3) minutes to speak on any item; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak. If an individual wishes to submit written information, he or she may give it to the City Clerk. Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

#### **CONSENT AGENDA**

Items on the consent agenda are routine in nature and do not require discussion or independent action. Members

of the Council, Board or Commission or the public may ask that any items be considered individually for purposes of Council, Board or Commission discussion and/ or for public comment. Unless that is done, one motion may be used to adopt all recommended actions.

1. September 29, 2023, Special Meeting Minutes, October 2, 2023, Special Meeting Minutes, October 3, 2023, Regular Meeting Minutes, and Adjourned Meeting Minutes
2. September 2023 Monthly Reports
3. September 2023 Check Register Summary
4. Resolution 2023-100, authorizing the City Administrator to execute a Construction Contract with Monterey Peninsula Engineering for the Base Bid plus a 5% contingency, in the total amount of \$1,139,566, for the FY 2021/22 Pavement Rehabilitation Program, including the San Carlos Bicycle Route, Eighth to Thirteenth Avenues, and Sidewalk Improvements Project, and approving a transfer from the CIP Contingency Fund of \$261,566 to complete the Project
5. Resolution 2023-101, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Wallace Group for Project Management and Design Services for two capital improvement projects for a not-to-exceed fee of \$241,258
6. Resolution 2023-102, authorizing a Free Use Day of the Sunset Center Theater and Lobby for the Carmel Public Library Foundation 12th Annual Fundraiser Benefit
7. Resolution 2023-104, authorizing application for, and receipt of, State of California Regional Early Action Program (REAP 2.0) Planning Grant Program funds

## **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9 (d) (4) (One potential case)
- B. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
  
Significant exposure to litigation pursuant to Government Code Section 54956.9 (d) (2) (One potential case: 26336 Scenic Drive Mills Act Contract)
- C. Public Employee Performance Evaluation pursuant to Government Code Section 54957; Title: City Administrator

## **PUBLIC APPEARANCES - Limited to items on Closed Session**

## **ADJOURNMENT**

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, located on the NE corner of Ocean Avenue and Lincoln Street, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage <http://www.ci.carmel.ca.us> in accordance with applicable legal requirements.

## **SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA**

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this agenda, received after the posting of the agenda will be available for public review at City Hall located on Monte Verde Street between Ocean and Seventh Avenues during regular business hours.

**SPECIAL NOTICES TO PUBLIC**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).



# CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

November 6, 2023  
CONSENT AGENDA

<b>TO:</b>	Honorable Mayor and City Council Members
<b>SUBMITTED BY:</b>	Nova Romero, City Clerk
<b>APPROVED BY:</b>	Chip Rerig, City Administrator
<b>SUBJECT:</b>	September 29, 2023, Special Meeting Minutes, October 2, 2023, Special Meeting Minutes, October 3, 2023, Regular Meeting Minutes, and Adjourned Meeting Minutes

## RECOMMENDATION:

Approve Draft Minutes.

## BACKGROUND/SUMMARY:

The City Council routinely approves minutes of its meetings.

## FISCAL IMPACT:

None.

## PRIOR CITY COUNCIL ACTION:

None

## ATTACHMENTS:

- Attachment 1) 9-29-23 Special Meeting Minutes
- Attachment 2) 10-2-23 Special Meeting Minutes
- Attachment 3) 10-3-2023 Regular Meeting Minutes
- Attachment 4) 10-3-23 Adjourned Meeting Minutes



**CITY COUNCIL  
SPECIAL MEETING MINUTES**

**September 29, 2023**

**CALL TO ORDER AND ROLL CALL**

Mayor Potter called the meeting to order at 3:30 p.m.

Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito (via Zoom teleconference), Mayor Pro Tem Bobby Richards, and Mayor Potter were present.

Mayor Potter announced that he received a request from Councilmember Ferlito to attend the meeting today remotely for Just Cause under Government Code Section 54953(f)

**Motion by Mayor Pro Tem Richards to approve Councilmember Ferlito's request for remote participation in the meeting for Just Cause under GC 54953(f), seconded by Councilmember Dramov, and approved 5-0-0-0 by the following roll call vote:**

**AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

Councilmember Ferlito attended the meeting remotely via Zoom teleconferencing.

**CLOSED SESSION**

Public Comment:

None

**Item 1** - Public Employee Performance Evaluation pursuant to Government Code Section 54957;  
Title: City Administrator

Council adjourned to Closed Session at 3:35 p.m.

**ADJOURNMENT**

Council adjourned the meeting at 5:05 p.m.

APPROVED:

ATTEST:

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Dave Potter, Mayor

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Nova Romero, MMC, City Clerk

**CITY COUNCIL  
SPECIAL MEETING MINUTES**

**October 2, 2023**

**CALL TO ORDER AND ROLL CALL**

Mayor Potter called the meeting to order at 4:30 pm.

Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito (via Zoom teleconference), Mayor Pro Tem Bobby Richards, and Mayor Potter were present.

Mayor Potter announced that he received a request from Councilmember Ferlito to attend the meeting today remotely for Just Cause under Government Code Section 54953(f)

**Motion by Mayor Pro Tem Richards to approve Councilmember Ferlito's request for remote participation in the meeting for Just Cause under GC 54953(f), seconded by Councilmember Dramov, and approved 5-0-0-0 by the following roll call vote:**

**AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

Councilmember Ferlito attended the meeting remotely via Zoom teleconferencing.

**PUBLIC APPEARANCES**

None.

**CONSENT AGENDA**

Consent agenda items 4 and 10 were pulled for discussion by Councilmember Baron.

**Motion by Councilmember Baron to approve consent agenda items # 1-3, and 5, 6, 7, 8, 9, and 11, seconded by Mayor Pro Tem Richards, and approved 5-0-0-0 by the following roll call vote:**

**AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**Item 1** - August 30, 2023, Special Meeting Minutes, September 11, 2023, Special Meeting Minutes, and September 12, 2023, Regular Meeting Minutes

**Item 2** - August Monthly Reports

**Item 3** - August 2023 Check Register Summary

**Item 5** - Resolution 2023-092 authorizing the City Administrator to execute a Professional Services Agreement with Carmel Chamber of Commerce for Visitor Center operations and services for a not-to-exceed amount of \$60,000 and a term expiring on June 30, 2024

**Item 6** - Resolution 2023-093 approving a supplemental budget appropriation to the Fiscal Year 2023-24 Adopted budget for Discretionary Grants in the amount of \$5,000 for the Carmel High School Mock Trial Team

**Item 7** - Resolution 2023-094 authorizing a \$3,033 contribution to Interfaith Homeless Emergency Lodging Program (I-HELP) for emergency homeless shelter services

**Item 8** - Resolution 2023-095 Approving the Reformation of the Climate Committee

**Item 9** - Resolution No. 2023-096, approving the conversion from an uncontrolled to a 1-way stop-controlled intersection at Lincoln Street and First Avenue, and from an uncontrolled to a 2-way stop controlled intersection at Lincoln Street and Second Avenue

**Item 11** - Resolution 2023-098 amending the professional services agreement with Joseph Systems, Inc. dba J4 Systems to increase the agreement amount by \$21,841.70 resulting in a new not-to-exceed amount of \$81,840.70

#### **ITEMS PULLED FROM CONSENT**

**Item 4** - Consider Ordinance No. 2023-006 (second reading), which would amend the Carmel Municipal Code (CMC) Title 17 (Zoning) by repealing and replacing chapter 17.46 (Telecommunications and Wireless Facilities) and making conforming amendments to Zoning Code sections 17.08.040, 17.12.020, 17.14.030, 17.14.220, 17.18.030, 17.40.070, 17.52.150, 17.54.010, 17.54.040, 17.54.080, 17.58.030, 17.58.040, 17.68.070, 17.70.010 and 17.70.020 and to municipal code sections 12.08.050, 12.08.060, 13.28.070; and finding the same exempt from the California Environmental Quality Act and in full conformance with the City's Local Coastal Program and the California Coastal Act

Community Planning and Building Director Brandon Swanson summarized the changes that were made per Council's direction after the first reading of the Ordinance, and the recommendation today is for Council to conduct a second reading and adopt the final Ordinance. City Attorney Pierik said that during the second reading Council may make minor administrative changes to the Ordinance but any substantive changes would require another first reading.

Public Comment:

Tasha Witt

Christy Hollenbeck

Councilmember Baron said he requested to pull this item from consent for public comment and discussion. He expressed his concerns over the inclusion of the term "adverse affect on property value" in the Ordinance, suggesting it could lead to the rejections of Wireless Communication Facility applications in the R-1, effectively banning them.

Public Comment:  
Tasha Witt  
Christy Hollenbeck

**Motion by Mayor Pro Tem Richards to adopt Ordinance 2023-006 as presented, seconded by Councilmember Ferlito, and approved by the following roll call vote 4-1-0-0:**

**AYES: Councilmember Dramov, Ferlito, Richards, and Mayor Potter**

**NOES: Councilmember Baron**

**ABSENT: None**

**ABSTAIN: None**

**Item 10** - Resolution 2023-097 authorizing the City Administrator to purchase two (2) Dodge Ram 1500 Police Special Service Vehicles (SSV) Crew Cab 4X4 trucks from My Jeep-Chrysler-Dodge-Ram, not exceeding \$90,000

Councilmember Baron emphasized the need for electric vehicles in line with the City's Climate Action Plan and a future transition to electric vehicles. He also noted that the 4X4 trucks as police vehicles are large and imposing. Councilmember Ferlito supported the idea of having a choice or comparison with electric vehicles next time.

Public Comment:  
None

**Motion by Councilmember Baron to adopt Resolution 2023-097, seconded by Mayor Pro Tem Richards, and approved 5-0-0-0 by the following roll call vote:**

**AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

## **CLOSED SESSION**

City Attorney Pierik read the title of the closed session agenda item.

Public Comment:  
None

**Closed Session Item A** - Public Employee Performance Evaluation pursuant to Government Code Section 54957; Title: City Administrator

Council adjourned to Closed Session at 5:05 p.m.

## **ADJOURNMENT**

APPROVED:

ATTEST:

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Dave Potter, Mayor

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Nova Romero, MMC, City Clerk

**CITY COUNCIL  
REGULAR MEETING MINUTES**

**October 3, 2023**

**TOUR OF INSPECTION - 3:00 PM**

The Councilmembers conducted an on-site tour of inspection of the properties listed below:

A. MA 23-116 (Esperanza Carmel, LLC) - 26336 Scenic Road in the Single-Family Residential (R-1) District. APN 009-423-001.

B. MA 23-146 (Lopez 5 NW, LLC) - Lopez Avenue 5 northwest of 4th Avenue in the Single-Family Residential (R-1) District. APN 010-232-028.

C. MA 23-117 (Griffin) - 3rd Avenue 2 northwest of Junipero Street in the Single-Family Residential (R-1) District. APN 010-108-007.

D. MA 23-103 (Cypress Inn) - northeast corner of Lincoln Street and 7th Avenue in the Residential-Commercial (R-C) District. APN 010-147-008.

**OPEN SESSION - 4:30 PM**

**CALL TO ORDER AND ROLL CALL**

Mayor Potter called the meeting to order at 4:30 pm.

Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito (via Zoom teleconference), Mayor Pro Tem Bobby Richards, and Mayor Potter were present.

**PLEDGE OF ALLEGIANCE**

Councilmember Baron led the pledge of allegiance.

Mayor Potter announced that he received a request from Councilmember Ferlito to attend the meeting today remotely for Just Cause under Government Code Section 54953(f).

**Motion by Mayor Pro Tem Richards to approve Councilmember Ferlito's request for remote participation for Just Cause under GC 54953(f), seconded by Councilmember Dramov, and approved 5-0-0-0 by the following roll call vote:**

**AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

Councilmember Ferlito attended the meeting via Zoom teleconferencing.

**EXTRAORDINARY BUSINESS**

A. Carmel High School Report Out - None.

B. Recognition of the Volunteers in Police Service (VIPS) - Chief Watkins recognized VIPS members Lee Whitney, Jim Dallas, Bob Gotch, Joanne Noto, Deanna Dickman, Diana Wahler, Carolyn Profeta, Paul Falworth, and David O'Neil. Lee Whitney received a Volunteer of the Year plaque for her 17 years of service, with an award from Assembly Member Dawn Addis.

C. City Administrator Rerig thanked Catherine, Nicola, and Blitzen Sebastiani for their \$7,500 donation to the Carmel Police Department in honor of Acting Police Chief Watkins. He added that the funds will go towards purchasing a new police vehicle which was approved during yesterday's Special Council meeting.

### **PUBLIC APPEARANCES**

Nancy Twomey

Ken White

Tom

Daisy Rose

Allie Minor

Patricia Harrington

Logan Miles Allison

### **ANNOUNCEMENTS**

**A. City Administrator** - No announcements

**B. City Attorney** – Announced that there was no reportable action from the Closed Session meetings on October 2nd or on September 29th.

**C. Councilmember Dramov** - Gave an update on the Flock Cameras ad hoc committee, and encouraged the public to reach out if they have any questions.

**Councilmember Ferlito** – Encouraged everyone to get their flu shot and COVID vaccines, and to stay healthy and safe. She said that the Mission Trail Nature Preserve (MTNP) tank removal project is in progress and thanked the Friends of the MTNP volunteers and Public Works.

**Mayor Pro Tem Richards** – Congratulated the Carmel High School football team and cross-country team on their recent wins.

### **ORDERS OF BUSINESS**

**Item 1** - Receive a Presentation by Wave Astound Broadband to introduce a new Fiber Optic Project and authorize the issuance of an Encroachment Permit with Special Conditions of Approval

Public Works Director Harary gave a brief background regarding the history of the item and summarized the main conditions of approval outlined in the Encroachment Permit and Special Conditions and asked for Council direction. He introduced John Mosher, Senior Construction

Manager for Wave Broadband, who gave a presentation on the proposed fiber optic project and answered questions from Council.

Public Comment:

Tasha Witt

Melanie Billig

Council discussed concerns about adding more wires to utility poles and inquired about undergrounding and micro trench options for fiber optic cables. Mr. Mosher stated that Wave isn't proposing these options now but is open to cost-sharing discussions with other utilities. City Administrator Rerig mentioned that the City would be responsible for engineering and trenching costs, which is a significant undertaking. Council discussed deferring a decision on the item requesting staff to come back at a future date to provide more information on undergrounding costs.

**Motion by Mayor Potter to continue this item to December with more questions answered, seconded by Councilmember Baron, approved 5-0-0-0 by the following roll call vote:**

**AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**Item 2** - Receive an after-action report for Car Week 2023 and provide staff with direction

Library and Community Activities Director Ashlee Wright presented a summary of the four permitted Car Week events in Carmel to the Council. She discussed their impacts, mitigation measures, and public feedback, along with safety recommendations for 2024 and proposed changes to the parking stall rental program administration. Ms. Wright also talked about updating the special events policy to include specific guidelines for car week parking stall rentals.

Acting Police Chief Watkins reported that during Car Week, the Police had 40 hours of dispatch overtime, 270 hours of patrol overtime, 45 volunteer hours, and received over 212 calls for service daily, including 20 calls for reckless driving. He mentioned 141 traffic stops, 74 citations, 67 warnings, 2 arrests, and 2 DUIs. There were over 350,000 visitors and around 18,000 cars in Carmel during Car Week. Chief Watkins noted that daytime events ran smoothly, but nighttime and non-permitted "events" were more challenging for the staff. He pointed out that updates to the municipal code would be needed to address noise issues such as idle cars and car revving.

Public Comment:

David O'Neil

Cindy Lloyd

Beth Bowman

Mike Brown

Ian Martin

The Council provided the following consensus direction for next year's Car Week:

- Proceed with staff's planning recommendations.



- Task the police department staff to collaborate with the City Attorney on amending the municipal code to enhance penalties for noise disturbances.
- Inquire about the cost of acquiring a decibel reader.
- Arrange temporary fencing to safeguard the WWI Memorial and medians.
- Revise the guidelines for the parking stall program during Car Week, including green zones and limitations on parking spot rentals per business or block.

**RECESS – Council took a recess at 6:20 p.m. and returned to the dais at 6:35 p.m.**

**Item 3** - Receive a report on the outcome of the August 30, 2023, City Council Priorities Workshop and provide direction to staff regarding the projects on the list. Direction to staff may include adjusting the priority level, scheduling discussion for a future meeting, or whether to add, remove, or change items on the list.

Administrative Analyst Emily Garay gave a brief summary of the direction received from Council during the August 30<sup>th</sup> Priority Workshop and asked for Council direction on each of the 22 active priorities. Council gave consensus direction as follows:

- **Keep fourteen (14) projects as “Top Priority” status:**
  - Update Zoning Code & Design Guidelines AND Explore Reinstatement of the Design Review Board (DRB)
  - Develop Accessory Dwelling Unit (ADU) Ordinance
  - Review Barriers to Construction of Affordable Housing
  - Police/Public Works Building Renovation Project
  - Review Opportunities for Enhanced Fire/Ambulance Services – *created ad hoc committee (Mayor Potter and Councilmember Baron)*
  - Develop a plan to ensure that the City’s natural areas, as well as private property, are properly maintained to reduce fire risk
  - Develop Urban Forest Master Plan (UFMP) & Update Tree Ordinance
  - Stormwater Ordinances Update
  - Develop a Facilities Maintenance Plan (Facility Renovation Projects)
  - Underground Utilities Rule 20A
  - Explore Opportunities for Scout House
  - Explore Opportunities for Flanders Mansion – *created ad hoc committee (Mayor Potter and Councilmember Dramov)*
  - Explore Street Addresses
  - Explore Parking and Traffic Management Program
- **Keep four (4) projects as a “low” priority level:**
  - Explore Opportunities for Permanent Outdoor Dining/Downtown Master Plan
  - Explore Redevelopment of the North Lot at Sunset Center
  - Review/Reformulate Approach to Reserves/Update Financial Policies
  - Develop and Implement Social Media Plan
- **Elevate two (2) projects to “Top Priority” status:**
  - Volunteer Group Oversight, Facilitation, and Appreciation
  - Coastal Engineering Study and Climate Committee

- **Move one (1) project to the “Completed” list:**
  - Develop Telecommunications Ordinance Consistent with Federal Law
- **ADD the following six (6) priorities to the list:**
  - Outdoor Wine Tasting Ordinance – *created ad hoc committee (Mayor Potter and Councilmember Baron)*
  - Carmel Area Wastewater District (CAWD) - Carmel River “Bridge to Everywhere” Project – *Mayor Potter is representing the city on this project*
  - Transient Occupancy Tax (TOT) increase – Explore adding to the 2024 ballot
  - Board and Commissioner training – *City Attorney and City Clerk to work on updating the commissioner handbook*
  - Undergrounding Power Lines - bigger project, separate from Rule 20A Priority – *created ad hoc committee (Councilmembers Baron and Dramov)*
  - Car Week Impacts and Safety

Public Comments:

Nancy Twomey

Louise Leder

David O’Neil

Melanie Billig

## PUBLIC HEARINGS

**Item 4** - DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building): Consideration of a resolution overturning the July 2023 decision of the Historic Resources Board (Reso. 2023-009-HRB) and issuing a Determination of Consistency with the Secretary of the Interior’s Standards, with new findings and conditions, for the construction of a mixed-use building with subterranean garage on a portion of the Northern California Savings & Loan Complex site located at Dolores Street 2 Southeast of 7th Avenue in the Service Commercial (SC) Zoning District. APNs 010-145-012, 010-145-023, 010-145-024

Mayor Pro Tem Richards recused himself from the item and left the dais at 7:06 pm.

Associate Planner Evan Kort gave a summary and brief presentation of the item. He briefly described the direction from Council that was received at the last meeting, which includes a Resolution for adoption which will overturn the HRB’s decision, with new findings of consistency and revised conditions of approval for the project.

Jun Sillano addressed the Council on behalf of the applicant, stating that they agree with the city’s historian, staff, and the Historic Resources Board’s recommendations to allow the applicant to relocate the wall and awaits Council’s decision.

Public Comment:

Kent Seavey

David O’Neil

Cindy Lloyd

Mike Brown

Alec Shebet  
Craig Rose  
Logan Miles Allison  
Holly Pease  
No name  
Dale Byrne

Council discussion resumed.

***Motion by Councilmember Dramov to adopt Resolution 2023-099 as presented, seconded by Councilmember Ferlito. Councilmember Baron made a friendly amendment to requesting to change the Resolution verbiage from “changes to be considered include.....” to “changes to be considered SHOULD include”....Councilmembers Dramov and Ferlito accepted the amendment.***

**Motion by Councilmember Dramov to approve the Resolution with the amendment to language to say, “changes to be considered should include” instead of “consider”, seconded by Councilmember Ferlito approved by the following roll call vote:**

**AYES: Councilmembers Baron, Dramov, Ferlito, and Mayor Potter**

**NOES: None**

**ABSENT: None**

**ABSTAIN: Mayor Pro Tem Richards (recused)**

Mayor Pro Tem Richards returned to the dais at 7:35 pm.

**Item 5 - MA 23-116 (Esperanza Carmel, LLC):** Consideration of a Mills Act Contract application MA 23-116 (Esperanza Carmel LLC) for the historic "Mrs. Clinton Walker House" located at 26336 Scenic Road in the Single-Family Residential (R-1) District. APN 009-423-001.

Associate Planner Katherine Wallace, Planner, gave a brief presentation and summary of the item, and answered questions from Council.

Public Comment:

Chris Mitchell spoke on behalf of the applicant, supporting approval of the Mills Act contract.

Chris Barlow

Katherine Smith

David O'Neil

Kent Seavey

Council discussion resumed. Councilmember Baron said he recognizes and appreciates the historical significance of the property and the value of historic preservation. He expressed concerns about the financial impacts on Carmel schools and the city if the Mills Act contract is approved. He questioned the financial equity of the agreement between the city and the applicant,

considering the recent information provided to Council that the applicant stands to receive close to a 75% discount on their property tax assessment, which over 10 years that discount in taxes would amount to more than the amount spent on historic preservation.

Councilmember Dramov said she supports historic preservation but expressed similar concerns about tax revenue loss and whether the applicants applying for Mills Act contracts lately truly need financial assistance. Councilmember Ferlito echoed the concerns brought up by Councilmember Baron and Dramov and said she would like to revisit putting a cap on tax breaks in the Mills Act policy and is hesitant to approve any Mills Act contract without knowing what financial impacts to the city are.

Mayor Potter and Mayor Pro Tem Richards voiced support for approving the Mills Act contract based on the existing policy standards. Councilmember Baron questioned the finding that *“approval of the Mills Act contract will represent an equitable balance of public and private interests and will not result in substantial adverse financial impact on the City”* has been met in this instance, and for that reason does not support approval. Councilmember Baron said he has raised these objections before, including during the 2019 application for the same property.

Councilmember Dramov supported further discussion on the Mills Act Policy before taking action on the applications. Mayor Pro Tem Richards said that the Mills Act applications brought forward tonight should be held to the current policy standards.

**Motion by Mayor Potter to approve MA 23-116 (Esperanza Carmel, LLC), seconded by Mayor Pro Tem Richards. Motion failed 2-3-0-0 by the following roll call vote:**

**AYES: Mayor Pro Tem Richards, and Mayor Potter**

**NOES: Councilmember Baron, Dramov, Felito**

**ABSENT: None**

**ABSTAIN: None**

Mayor Potter suggested that the Council continue this application and the remaining 3 Mills Act applications on the agenda to a future meeting date. Council directed staff to come back next month with an agenda item for Council to review the Mills Act Policy.

**Motion by Mayor Potter to continue MA 23-116 to a date uncertain, and come back at future meeting to discuss the Mills Act Policy, seconded by Mayor Pro Tem Richards and approved 5-0-0-0 by the following roll call vote:**

**AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**Item 6 - MA 23-146 (Lopez 5 NW, LLC):** Consideration of a Mills Act Contract application MA 23-146 (Lopez 5 NW, LLC) for the historic "Cosmas House" located on Lopez Avenue 5 northwest of 4th Avenue in the Single-Family Residential (R-1) District. APN 010-232-028.

Councilmember Baron recused himself from the item and left the dais at 8:19 p.m.

**Motion by Mayor Potter to continue MA 23-146 (Lopez) to a date uncertain, seconded by Mayor Pro Tem Richards and approved 4-0-0-1 by the following roll call vote:**

**AYES: Councilmembers Dramov, Ferlito, Richards, and Mayor Potter**

**NOES: None**

**ABSENT: None**

**ABSTAIN: Councilmember Baron (recused)**

Councilmember Baron returned to the dais at 8:21 p.m.

**Item 7 - MA 23-117 (Griffin):** Consideration of a Mills Act Contract application MA 23-117 (Griffin) for the historic "Agnes Shorting House" located on 3rd Avenue 2 northwest of Junipero Avenue in the Single-Family Residential (R-1) District. APN 010-108-007.

**Motion by Mayor Pro Tem Richards to continue MA 23-117 (Griffin) to a date uncertain, seconded by Mayor Potter and approved 5-0-0-0 by the following roll call vote:**

**AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**Item 8 - MA 23-103 (Cypress Inn):** Consideration of a Mills Act Contract application MA 23-103 (Cypress Inn) for the historic "La Ribera Hotel" located on the northeast corner of Lincoln Street and 7th Avenue in the Residential-Commercial (R-C) District. APN 010-147-008.

Mayor Potter and Mayor Pro Tem Richards recused themselves from the item and left the dais at 8:22 p.m.

**Motion by Councilmember Baron to continue MA 23-103 (Cypress Inn) to a date uncertain, seconded by Dramov and approved 3-0-0-2 by the following roll call vote:**

**AYES: Councilmembers Baron, Dramov, Ferlito**

**NOES: None**

**ABSENT: None**

**ABSTAIN: Mayor Pro Tem Richards and Mayor Potter (recused)**

#### **FUTURE AGENDA ITEMS**

None

#### **ADJOURNMENT**

Council adjourned the meeting at 8:25 p.m.

APPROVED:

ATTEST:

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Dave Potter, Mayor

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Nova Romero, MMC, City Clerk

**CITY COUNCIL  
SPECIAL MEETING MINUTES**

**ADJOURNED CLOSED SESSION MEETING**

**October 3, 2023**

**CALL TO ORDER AND ROLL CALL**

City Clerk Romero called the Adjourned Closed Session Meeting to order at 8:29 p.m., and announced that there were no Councilmembers present, and adjourned the meeting 8:29 p.m due to lack of quorum.

**Item 1** - Public Employee Performance Evaluation pursuant to Government Code Section 54957;  
Title: City Administrator

**ADJOURNMENT**

Meeting adjourned at 8:29 p.m.

APPROVED:

ATTEST:

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Dave Potter, Mayor

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Nova Romero, MMC, City Clerk



# CITY OF CARMEL-BY-THE-SEA

## CITY COUNCIL

### Staff Report

November 6, 2023  
CONSENT AGENDA

**TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Nova Romero, City Clerk

**APPROVED BY:** Chip Rerig, City Administrator

**SUBJECT:** September 2023 Monthly Reports

#### RECOMMENDATION:

Review and receive monthly reports.

#### BACKGROUND/SUMMARY:

This is a monthly series of reports:

- City Administrator Contract Log - *No contracts under \$60,000 executed in September*
- Community Planning and Building Department Reports
- Police, Fire, and Ambulance Reports
- Public Records Act Requests
- Public Works Department Reports

#### FISCAL IMPACT:

N/A

#### PRIOR CITY COUNCIL ACTION:

N/A

#### ATTACHMENTS:

Attachment 1) Community Planning and Building Department Reports

Attachment 2) Police, Fire, and Ambulance Reports

Attachment 3) Public Records Act Requests

Attachment 4) Public Works Department Reports





# CITY OF CARMEL-BY-THE-SEA Monthly Report

## Community Planning and Building Department

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Leah Young, Administrative Coordinator
SUBMITTED ON:	November 7, 2023
APPROVED BY:	Brandon Swanson, Director of Community Planning and Building

### SEPTEMBER 2023 – DEPARTMENT ACTIVITY REPORT

#### I. PLANNING PERMIT APPLICATIONS:

In September 2023, **25** planning permit applications were received.

#### II. BUSINESS LICENSE APPLICATIONS:

In September 2023, **6** business license applications were received.

#### III. BUILDING PERMIT APPLICATIONS:

In September 2023, **49** building permit applications were received.

#### IV. CODE COMPLIANCE CASES:

In September 2023, **11** new code compliance cases were created.

#### V. TRANSIENT RENTAL COMPLIANCE CASES:

In September 2023, **1** new transient rental compliance case was created.

#### VI. ENCROACHMENT PERMIT APPLICATIONS:

In September 2023, **30** encroachment permit applications were received.

#### VII. TREE PERMIT APPLICATIONS:

In September 2023, **31** tree permit applications were received.

Table 1 includes the following September 2023 totals:

- Planning Permit Applications
- Business License Applications
- Building Permit Applications
- Code Compliance Cases
- Transient Rental Cases
- Encroachment Permit Applications
- Tree Permit Applications

September 2023 totals are provided alongside September 2022 totals for comparison. Compared to the same time period in the year 2022, Table 1 denotes percentage changes in the year 2023.

**Table 1**  
**Permit Application Totals and YTD Percentage Changes**

	PLANNING	BUSINESS LICENSES	BUILDING	CODE COMPLIANCE	TRANSIENT RENTAL COMPLIANCE	ENCROACH- MENTS	TREE REMOVAL & PRUNING
2022 YTD Totals	294	48	393	189	31	211	140
2023 YTD Totals	301	57	467	172	27	217	309
YTD % Difference	+ 2.38%	+ 18.75 %	+ 18.83%	- 8.99%	- 12.90%	+ 2.84%	+ 120.71%



# Planning Permit Report

09/01/2023 - 09/30/2023

Permit #	Permit Type	Project Description	Address/Location	Date Received	Date Approved	Status
23300	Design Study	A Revision To Associated Planning Permits - DS 20-392 & DS 23-012 1.) Shift Entry Door Wall 18" Toward Exterior, Adding 6 SF of Floor Area. Addition Occurs Under Existing Roof. 2.) Add Bar Sink At Living Room / Kitchen Cabinet. 3.) Add 2'x2' Skylight At The West Side Of Master Bathroom. 4.) Reconfigure Entry Gate / Wall & Walkway.	3 SW of 13th on Camino Real	9/28/2023		In Review
23299	Design Study	Construct new storage building.	Perry Newberry 3 NW of 5th	9/27/2023		In Review
23298	Design Study	Revision to recent planning approval DS 22-274 (Cruz). Interior & Exterior remodel of a one-story single family home, reducing the proposed building footprint and relocating the proposed detached garage to the opposite side on the front yard.	Monte Verde 3 NW of 11th	9/27/2023		In Review
23297	Design Study	INTERIOR REMODEL OF KITCHEN AND (3) BATHROOMS. NEW INTERIOR FINISHES TO INCLUDE PLUMBING FIXTURES, APPLIANCES, MILLWORK, TILE, AND COUNTERTOPS. EXTERIOR - (2) WINDOWS TO BE RESIZED, AND (1) WINDOW TO BE ADDED. ROOFING TO BE REPLACED, AND NEW ROOF INSULATION LAYER ADDED. REPLACE GARAGE DOORS. STRUCTURAL MODIFICATIONS - (2) WDW. HEADERS. THERE WILL BE NO MODIFICATIONS TO THE BUILDING FOOTPRINT OR SITE COVERAGE.	5th Ave. 2 NE of Santa Rita	9/27/2023		In Review
23296	Preliminary Site Assessment	New SFR, previously approved in 2014, revised and updated plans to current codes.	Carmelo Street 3 SE of 4th	9/27/2023		In Review

23295	Design Review	Exterior Stair Replacement	SW corner of Camino Real and 8th			Attachment 1 In Review
23294	Preliminary Site Assessment	Preliminary Site Assessment	Casanova 3 SE of 4th Ave	9/20/2023		In Review
23293	Design Study	PSA 23-061. The project is a 250-SF addition to the existing 1,208-SF residence and 350-SF guest house consisting of a 200-SF detached (20x10) garage w/ a 50-SF (5x10) storage building separated by 6 FT to accommodate both the existing 3-FT-wide utility easement at the North end of Lot 5 to provide covered bicycle storage. Also proposed is a replacement front door (Dutch style). See Sheet 4.	Lobos Street 2 NE of 4th Avenue	9/20/2023		In Review
23292	Design Study	Remodel of an (e) two story single family house and detached garage. Replace (e) wood windows & doors with new alum. clad windows and doors. Dark green color to match (e). Window/door style to match (e). Remodel (e) kitchen and 2 (e) bathrooms. New interior lighting and electrical.	Santa Fe Street 3 SE of Ocean Avenue	9/15/2023		In Review
23291	Design Review	Associated Building Permit Application BP 19-467 (Mann/Parashis). Amend Permit Application DR 20-003 (Parashis) to include replacement of all 2nd story windows, remove residential elevator, reduce previously approved balcony to 182 sf from 300 sf, add two skylights, reconfigure interior bedrooms on the 2nd floor from previously approved layout. No new added habitable area.	NW Corner of 6th and Dolores	9/14/2023		In Review
23290	Design Study	Associated Permit Application PSA 22-053 (Britton). New 1,600-SF, 2-story, single-family house: 3 BR, 3 BA. New 200-SF detached garage. New 433-SF detached ADU.	Santa Fe 3 SW of Mountain View	9/11/2023		In Review

23289	Temporary Use Permit	DATE OF EVENT: 09/29/2023. Vocalist and acoustic guitarist with small speaker and microphone to play easy listening music from 6:30 PM - 10:00 PM.  This will be for a 50th birthday dinner of 16 guests on the Grasing's Rooftop.	NW Corner of 6th & Mission Street	9/14/2023	9/27/2023	Approved
23288	Banners	Installation of two double sided banners and 6 single sided banners from Junipero to Monte Verde from 12/1/23 - 12/11/23.	Ocean Ave from Junipero to Monte Verde	9/12/2023	9/13/2023	Approved
23287	Design Review	Minor cosmetic improvements for the steps and brickwork at the front of the existing property at the San Carlos Professional Center consisting of minor modifications to the existing hardscape and the addition of a decorative curved brick wall. No new landscaping is proposed.	San Carlos 2 NW of 8th	9/11/2023	9/27/2023	Approved
23286	Historic Evaluation	HISTORIC EVALUATION. Associated Permit DS 23-235: Replace existing fence on Carmelo and 12th Ave sides of property at 4' tall. Replace existing walkway from corner of Carmelo & 12th to front door.	SW Corner of Carmelo & 12th	9/8/2023		In Review
23285	Historic Evaluation	HISTORIC EVALUATION. Ticket #14628	Monte Verde 4 SW of 3rd Ave	9/7/2023		In Review
23284	Historic Evaluation	HISTORIC EVALUATION. Proposed Reroof: Remove existing shake roofing and replace with Cedur brand Shake, color Walden.	Carmelo 4 SW of 4th	9/7/2023		In Review
23283	Design Study	Living / entry addition, rebuilding garage, deck and Exterior stairs. Remodel kitchen and bathrooms. Replacing exterior windows and doors. Redo finish floor on balcony	Santa Fe 3 NE Mountain View	9/7/2023		In Review

23282	Design Study	Rebuilding a garage that was destroyed by a tree in the storm. Existing garage was 312 sf, new garage to be 493 sf. Project to include the construction of a new 397sf second-story ADU in a carriage house design to match the existing SFR, to total 890sf.	SW Corner of Santa Fe & Mountain View	9/7/2023		Attachment 1 In Review
23281	Variance	Associated with DS 22-184. Remodel to (E) SFD.	NE corner of 12th and Scenic			Scheduled for PC
23280	Sign	New sign to be affixed to front of Suite 3, front window where hardware is existing. Install to be completed by Monterey Signs. Also, two (2) small signs to slide into courtyard marquis (already existing).	SW Corner of San Carlos & 7th, Hampton Court, Unit #3	9/5/2023	10/2/2023	Approved
23279	Design Study	New Entry Fence, Gate & Trellis. Add New Window & Planter Box Above Garage Door. Extend The Deck On The West Side Of The Residence. Replace One Window With A French Door For Better Deck Access. Remove Redwood Decking And Replace It With Trex Decking. Apply Tempered Glass Handrail To The New Extended Deck For Better Viewing.	South East Corner Of San Antonio & 2nd	9/6/2023		In Review
23278	Design Review	We are rebuilding the existing art studio	NE Corner of Guadalupe and 4th Avenue	9/11/2023		In Review
23277	Design Review	Replace decaying deck beams. Rebuild garbage room.	NW Corner of Ocean & Monte Verde	9/5/2023		In Review
23276	Design Review	outdoor lighting permit	corner of Dolores & 7th	9/12/2023		In Review

Total Records: 25

10/6/2023



# Business License Report

09/01/2023 - 09/30/2023

Entity #	Application Type	Business Name	Business Description	Location	Date Received	Date Approved	Status
23056	New Business	Moore Consulting	Psychotherapist	Junipero 2 SW of 4th	9/26/2023		In Review
23055	Location Change	Signature Day Spa	Day spa, health, wellnes	Mission Street	9/26/2023		In Review
23054	New Business	Mark Lupo Interiors	Office work, phone calls, computer work, bookkeeping	Ocean Avenue 2 NW of Dolores Street	9/22/2023		In Review
23053	Location Change	In the Bag	This approval of BL 23-053 authorizes the subject business to be engaged in Apparel Sales (CMC 17.14; "Retail Sales", CMC 17.70) located in an 804 square foot ground floor commercial space in the Central Commercial (CC) Zone District offering the following goods and services.	Lincoln 4 NE of 7th	9/12/2023	9/27/2023	Approved
23052	New Business	Glacier Boutique	This approval of BL 23-053 authorizes the subject business to be engaged in Apparel Sales (CMC 17.14; "Retail Sales", CMC 17.70) and Cosmetic Sales (CMC 17.14; "Cosmetic Stores", CMC 17.70) located in a 922 square foot ground floor commercial space in the Central Commercial (CC) Zone District offering the following goods and services	Ocean Ave. & Monte Verde	9/12/2023	9/27/2023	Approved

23051	New Business	Mad Dogs & Englishmen	This approval (BL 23-051) authorizes the subject business to be engaged in Retail Sales (CMC 17.70) and as an ancillary Specialty Restaurant (CMC 17.70) located in the Central Commercial (CC) Zone District	SW Corner of Ocean & Mission Street	9/7/2023	Attachment # 9/22/2023	Approved

Total Records: 6

10/5/2023





# Building Permit Report

09/01/2023 - 09/30/2023

Permit #	Date Submitted	Date Approved	Project Description	Valuation	Permit Type	Property Location
230465			VOID	0	BP Revision	SAN ANTONIO AVENUE, CARMEL-BY-THE-SEA, CA, 93921
230464	9/28/2023		Remodel 3 existing bathrooms and kitchen.	145,000	Building	Guadalupe 5 SW of 5th
230463	9/28/2023	9/28/2023	Interior cosmetic improvements. In kitchen - replace countertops, sink, cooktop and oven. All plumbing fixtures and appliances to remain at existing locations. Downstairs guest bathroom - replace countertop, floor tile, tub and shower tile. All plumbing fixtures to remain in the same location.	0	Exempt Work	San Antonio 2 SW of 10th
230462	9/28/2023		Addition of an emergency backup generator	20,000	Electrical	NW Corner of San Antonio & 2nd
230461	9/27/2023		Installing Electric Heaters	6,000	Building	Dolores 5 SE of 5th
230460	9/27/2023		Remove existing composition roof, install plywood and install new composition roof matching color as close as possible. Install new Modified Bitumen roof over existing Modified Bitumen roof matching color as close as possible.	8,447	Roofing	Ocean 3 SE of Monte Verde
230459	9/26/2023	9/26/2023	Remove and replace 800 sf of roof section in-kind with wood shingles.	21,000	Roofing	Dolores 4 NE of Santa Lucia
230458	9/26/2023		Commercial TI for new business to include new electrical wiring, painting, patch work, and new flooring.	10,000	Building	Ocean 2 NE of Monte Verde

230457	9/26/2023		Remodel (e) two-story house and detached garage. Replace (e) windows and doors with new, remodel (e) kitchen and remodel two bathrooms. Install new lighting and electrical.	125,000	Building	Santa Fe 3 SE of Ocean
230456	9/27/2023	9/27/2023	Main electrical service panel upgrade from 100amp to 200amp	7,000	Electrical	SW Corner of Perry Newberry & 5th
230455			SEE BP 23-119, RV01. Revision to update structural plans to include lowering existing concrete slab foundation to correct interior ceiling clearance.	35,000	BP Revision	Guadalupe 5 SW of Ocean Ave.
230454	9/26/2023	10/4/2023	REROOF - REMOVE AND REPLACE EXISTING SHAKE ROOF WITH CERTAINTED LANDMARK TL COMPOSITION, COLOR COUNTRY GRAY	26,280	Roofing	SE Corner of Camino Real & 9th
230453	9/27/2023		Replace existing redwood decking/handrail with new redwood. Address any wood rot	17,000	Exempt Work	Carpenter 4 NE of 3rd
230452	9/27/2023		Install a 16KW Generac Generator - DUPLICATE APPLICATION, SEE EP 23-418	20,000	Electrical	6 Forest Road Carmel by the sea

230451	9/26/2023		INTERIOR REMODEL OF KITCHEN AND (3) BATHROOMS. NEW INTERIOR FINISHES TO INCLUDE PLUMBING FIXTURES, APPLIANCES, MILLWORK, TILE, AND COUNTERTOPS. EXTERIOR - (2) WINDOWS TO BE RESIZED, AND (1) WINDOW TO BE ADDED. ROOFING TO BE REPLACED, AND NEW ROOF INSULATION LAYER ADDED. REPLACE GARAGE DOORS. STRUCTURAL MODIFICATIONS - (2) WDW. HEADERS. THERE WILL BE NO MODIFICATIONS TO THE BUILDING FOOTPRINT OR SITE COVERAGE.	450,000	Building	5th 2 NE of Santa Rita
230450	7/13/2021	6/1/2022	Commercial. New restaurant and commercial TI. Contact: Monterey Custom Builders (831) 206-4705	75,000	Building	Carmel Plaza, Suite 111
230449	9/20/2023		Install New Bryant Heat Pump Model #38MURAQ30AA3, 30,000BTU, 2.5 Ton	7,800	Mechanical	Junipero 4 SW of Alta
230448	9/20/2023	9/20/2023	100 amp main panel replacement in-kind.	200	Electrical	Santa Fe 7 SW of 8th
230447	9/20/2023	9/26/2023	Remove existing fence and ivy covering. Replace existing wood fence on the east, rear property line with new 6' high grapestake fence. Length of fence is approx 60'.	0	Exempt Work	8th 3 SE of Santa Fe
230446	9/19/2023	9/20/2023	Repair foundation under living room, replace (e) concrete footing.	4,000	Building	San Carlos 4 NE of 1st
230445	9/18/2023		Remodel including changing out windows and doors, expanding deck, adding a powder room, general updates.	170,000	Building	Torres 5 SE of 8th

230444	9/18/2023	9/18/2023	Demolition of existing bathroom and upgrade of all plumbing fixtures in the same locations with new fixtures.	9,000	Building	SW Corner of Monte Verde & 9th
230443	9/18/2023		Kitchen Remodel. Add and/or move electrical outlets. Add water line for refrigerator, install garage disposal and dishwasher.	2,500	Building	Perry Newberry 3 NW of 5th
230442	9/18/2023	9/18/2023	Installation of subfloor in garage.	0	Exempt Work	Guadalupe 2 NE of 3rd
230441	9/15/2023	9/15/2023	Replace existing water heater with new Bradford White BRG2PV50H6N19 model.	4,900	Plumbing	8th 2 SE of Torres
230440	9/15/2023		See attached.	20,000	Building	8th 2 SE of Santa Fe
230439	9/15/2023		Rain gutter installation for house and detached garage.	2,712	Exempt Work	4910 Monterey st
230438	9/14/2023		Replace damaged siding, approx 200sf.	20,000	Building	Scenic 5 SE of 10th
230437	9/14/2023	9/14/2023	Installation of new carpet, new hardwood floors, and new interior paint.	0	Exempt Work	Guadalupe 3 NW of 6th
230436	9/14/2023		Replace Rooftop Unit For Space 225B.	20,750	Mechanical	Ocean Avenue & Mission Street
230435	9/14/2023	9/14/2023	Remove existing Presidential Composition Shingle roof and install new Presidential Composition Shingles in color Country Gray.	18,000	Roofing	SE Corner of Forest & Pine Ridge Way
230434	9/13/2023		Interior remodel of the offices behind the detached garage. Install LVP flooring, remove existing baseboards and install new baseboards. Swap out white switches/outlets for existing brown ones. Lay fiberglass bat insulation in uninsulated attic of main house. Cover approx 10'x10' section of attic floor with plywood for storage.	0	Exempt Work	NW Corner of Mission & 11th

230433	9/12/2023		Roof extension.	10,000	Building	Carmelo 6 NW of 4th
230432	9/11/2023		New 253 sf detached garage	0	Building	NE Corner of 12th and San Antonio
230431	9/11/2023	10/5/2023	Addition of stone veneer to an existing cinder block fireplace (9'x6') and hearth (6'x2') with 87sf of coverage.	4,566	Building	Lopez 8 SE of 2nd
230430	9/11/2023	9/11/2023	Remove and replace furnace in the same location.	8,665	Mechanical	SW Corner of Junipero & 12th
230429	9/11/2023	9/11/2023	Run new wiring in kitchen, bedrooms, bathrooms, and living room.	5,000	Electrical	NW Corner of Mission & 11th
230428	9/11/2023		Remove existing composition shingle roofing and install new composition shingles:	30,000	Roofing	Casanova 4 NW of 7th
230427	9/8/2023	9/18/2023	Placement of temporary storage shed in yard behind stairs. Shed is proposed to be 10.08' long, 8.31' wide and 5' tall at the peak. Shed is to be made from wood and will be painted Redwood Brown to match the house. Shed will be used to store bicycles. Additionally install a 6' tall fence, gate, and 7' tall arbor across the property parallel to the street. Fence to be outside of the front setback and be 17' long.	0	Exempt Work	Crespi 5 SE of Mountain View
230426	9/7/2023	9/8/2023	Limited replacement of exterior siding. Approximately 60 lf of siding replaced in approximately two or three areas.	0	Exempt Work	Monte Verde 2 NW of 7th
230425	9/8/2023	9/26/2023	Re-roof , change from wood shake to composition	1,000	Roofing	NW Corner of Santa Rita & 5th
230424	9/6/2023		REPAIR (IN-KIND) OF EXISTING EXTERIOR STAIR ACCESSING (E) ADU ABOVE GARAGE DUE TO DRY ROT AND GARAGE SIDING REPLACEMENT.	5,000	Building	Monte Verde 6 SW of 10th

230423	9/6/2023	9/7/2023	Replace Roof with Certaineed Presidential Triple Laminated Shingles 50 Year - Color: Autumn Blend	18,000	Roofing	3rd 2 NW of Santa Fe
230422	9/6/2023	10/5/2023	Install new backup generator system	12,000	Electrical	Carmelo 5 NW of 4th
230421	9/6/2023		417 SQ. FT. REMODEL OF EXISTING KITCHEN, GUEST BATH AND PRIMARY BATH. DEMOLITION: RELOCATE WALL BETWEEN EXISTING PRIMARY BEDROOM AND GUEST BATH, REMOVING EXISTING UPPERS & LOWER CASEWORK, COUNTERS AND FLOORING TO ALLOW FOR NEW WORK. NEW WORK: BUILT-IN UPPER & LOWER CABINETRY, NEW FLOORING, COUNTERTOPS, SOME APPLIANCES AND RELATED APPURTENANCES. REPLACING INDICATED EXISTING WINDOWS WITH NEW SAME SIZE WINDOWS.	80,000	Building	Santa Fe 4 SE of Ocean
230420	9/6/2023	9/6/2023	Replace existing water heater with a new 30 gallon water heater.	2,000	Plumbing	Mission 4 NE of 4th
230419	9/5/2023	9/26/2023	Remove leaking slate deck, waterproof deck, and replace slate.	10,000	Building	NE Corner of Scenic & 11th
230418	9/5/2023		Install a 16KW generac backup generator.	19,999	Electrical	Forest 3 NW of 7th
230417	9/5/2023		OWNER PROPOSES TO REPLACE EXISTING DECOMPOSED GRANITE COVERAGE WITH 315 SQFT OF PERMEABLE PATIO, INSTALL TWO PLANTERS AND ADD A BACK-UP GENERATOR.	22,000	Building	1st 2 NE of Carpenter



# Code Compliance Report

**09/01/2023 - 09/30/2023**

Case #	Case Date	Status	Location	Problem Description	Date Received	Date Closed
23173	9/18/2023	Potential STR identified	SWC Mountain View and Crespi	Transient Rental	9/16/2023	
23172	9/15/2023	Closed	Lincoln SE of Ocean	A-frame signs in parking spaces	9/15/2023	9/15/2023
23171	9/12/2023	Closed	Dolores between Ocean and 7th	Cones in parking spaces	9/12/2023	9/13/2023
23170	9/12/2023	Closed	Mission NW of 5th	Construction noise	9/12/2023	9/13/2023
23169	9/8/2023	Closed	Dolores SW of Ocean	Cones in parking spaces	9/8/2023	
23168	9/8/2023	Open	Carmelo 2 NE of 11th	Keeping barnyard fowl	9/8/2023	
23167	9/8/2023	Open	Guadalupe 4 SW of Ocean	Exterior lighting	9/8/2023	
23166	9/7/2023	Open	Santa Fe and 2nd	Exterior signage	9/7/2023	
23165	9/7/2023	Closed	7th NE of Casanova	Cones in ROW	9/7/2023	
23138	9/27/2023	Open	Guadalupe 4 NW of 6th		9/26/2023	
23137	9/5/2023	Open	Junipero 2 NE of 10th	Driveway construction	9/5/2023	

**Total Records: 11****10/5/2023**



# Transient Rental Report

**01/01/2023 - 09/30/2023**

Case #	Street	Status	Date Received	Last Status Date	Date Closed
23173	Mountain View	Potential STR identified	9/16/2023	10/2/2023	
23135	Ocean	Closed	8/18/2023	9/25/2023	9/25/2023
23134	Ocean	Closed	8/18/2023	8/25/2023	8/25/2023
23133	Monte Verde	2nd NOV sent	8/17/2023	9/29/2023	
23109	13th	1st NOV sent	7/28/2023	9/25/2023	
23107	13th	Closed	7/28/2023	8/16/2023	8/16/2023
23104	Santa Fe	1st NOV sent	7/21/2023	9/25/2023	
23099	Mission	Closed	7/7/2023	9/19/2023	9/19/2023
23094	2nd	Closed	6/23/2023	8/21/2023	8/21/2023
23093	Rio	Closed	6/21/2023	8/31/2023	8/31/2023
23092	Ocean	Closed	6/21/2023	7/7/2023	7/7/2023
23091	Dolores	Closed	6/22/2023	7/19/2023	7/19/2023
23061	Monte Verde	Closed	4/27/2023	7/17/2023	7/17/2023
23058	Mission	Closed	4/19/2023	6/2/2023	6/2/2023
23057	Carmelo	Closed	4/19/2023	6/2/2023	6/2/2023
23053	San Carlos	Closed	3/21/2023	6/2/2023	6/2/2023
23039	Rio Road	Closed	2/27/2023	4/17/2023	4/17/2023
23015	Carmelo	Closed	1/9/2023	2/3/2023	2/3/2023
23014	Mission	Closed	1/9/2023	1/10/2023	1/30/2023
23013	N Casanova	Closed	1/9/2023	2/3/2023	2/3/2023
23012	Mission	Closed	1/9/2023	1/27/2023	1/27/2023
23009	Santa Fe	Closed	1/8/2023	2/3/2023	2/3/2023
23008	Guadalupe	Closed	1/8/2023	1/13/2023	1/13/2023
23007	2nd	Closed	1/8/2023	1/8/2023	4/8/2023
23005	Carpenter	Closed	1/8/2023	2/3/2023	2/3/2023
23004	5th	Closed	1/5/2023	2/3/2023	2/3/2023
23003	Dolores and 1st	Closed	1/5/2023	2/3/2023	2/3/2023

**Total Records: 27****10/4/2023**





# Encroachment Permit Report

09/01/2023 - 09/30/2023

Permit #	Permit Type	Date Submitted	Project Description	Property Location	Date Issued	Status
230216	Temp Ench	9/28/2023	2'x2' paver bricks for CalAm Job #0918. Contact: Coastal Paving & Excavating (831) 262-1425	San Carlos 2 NW of 7th	10/2/2023	Issued
230215	Driveway	9/28/2023	Replace the front of garage parking area. Remove existing asphalt and install pavers.	Monte Verde 3 NE of 6th		In Review
230214	Perm Ench	9/28/2023	Legalize installation of existing drystacked stone retaining walls that are built within the City right-of-way on the East side of the property along Camino Real and on the south side of the property along 4th Ave.	NW Corner of Camino Real & 4th		In Review
230213	Temp Ench	9/27/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	San Carlos 3 NE of 4th	10/2/2023	Issued
230212	Temp Ench	9/26/2023	New fire line installation, asphalt demo and patch, trenching by excavation, underground utilities installation. Contact: Chris Crow (831) 212-5216	SW Corner of Camino real & 8th		In Review
230211	Temp Ench	9/26/2023	Applicant to trench, backfill & install electric substructures. PG&E to replace pole, cut in new secondary box, and ring & turn in service. PM# 35320167. Contact: PG&E (408) 478-1894	SW Corner of Carpenter & 6th	9/28/2023	Issued
230210	Temp Ench	9/26/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Monte Verde 3 NE of 6th	10/2/2023	Issued
230209	Temp Ench	9/20/2023	PG&E to complete gas maintenance, excavate 4'x6' bell hole. PM# 45968496. Contact: PG&E (408) 510-1660	SW Corner of Lobos & 1st	9/28/2023	Issued
230208	Temp Ench	9/19/2023	Remove and replace concrete sidewalk with permeable pavers. Contact: Patrick James Construction (831) 915-8076	Ocean 3 NW of Dolores		In Review
230207	Temp Ench	9/19/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Forest 5 SW of Ocean	9/19/2023	Issued

230206	Driveway	9/19/2023	Driveway replacement with Calstone "Belgian Stone" Sequoia Sandstone or Oak Barrel color, Running Bond pattern.	Monterey 2 SW of 2nd	9/26/2023	Issued
230205	Temp Ench	9/18/2023	Long-term placement of dumpster and material storage in the right of way for associated building permit.	Santa Rita St, 2 NW 4th Ave, Carmel, CA 93921		In Review
230204	Temp Ench	9/18/2023	Excavate a 4'x3' pit in the asphalt to repair damages due to water leak repair. 811 #2023083101817. Contact: West Valley Construction (408) 640-8913	Lincoln 50' South of 11th	9/18/2023	Issued
230203	Temp Ench	9/18/2023	Excavate a 7'x8' pit in the asphalt to repair damages due to water leak repair. 811 #2023083101700. Contact: West Valley Construction (408) 640-8913	Intersection of Junipero & 12th		In Review
230202	Temp Ench	9/18/2023	Excavate a 4'x3' pit in the asphalt to repair damages due to water leak repair. 811 #2023083101779. Contact: West Valley Construction (408) 640-8913	Lobos 100' South of 3rd	9/18/2023	Issued
230201	Temp Ench	9/18/2023	Excavate a 2'x2' pit in the asphalt to repair damages due to water leak repair. 811 #2023083101866. Contact: West Valley Construction (408) 640-8913	San Carlos 52' North of 13th	9/18/2023	Issued
230200	Temp Ench	9/18/2023	Excavate a 3'x3' pit in the asphalt to repair damages due to water leak repair. 811 #20230831018666. Contact: West Valley Construction (408) 640-8913	Santa Rita 255' North of Mountain View	9/18/2023	Issued
230199	Temp Ench	9/15/2023	Moving trucks to be parked next to house and will also need two parking spots on Scenic across from the house. Contact: Paige Colijn (831) 710-1655	SE Corner of Scenic & 9th		In Review
230198	Temp Ench	9/15/2023	Plating of trees and plants to conform with approved DS 22-385 (Caulfield). Contact: Robert Luster (831) 596-2709	NE Corner of Casanova & 12th		In Review

230197	Temp Ench	9/14/2023	Sewer lateral installation with SRV, BWV, and two-way cleanout. 811# 2023091202790. Contact: Easy Drains Plumbing (831) 521-6882	SW Corner of Monte Verde & 7th	9/29/2023	Issued
230196	Temp Ench	9/13/2023	PG&E to trench and backfill trenches for gas and electrical. PG&E to install gas service, replace transformer & pole, and install underground service and remove overhead service. PM# 35402242 & 35401957. Contact: PG&E (408) 478-1894	8th between San Carlos & Dolores		In Review
230195	Temp Ench	9/12/2023	Remove 2'x2' section of sidewalk to connect gas service. Replace concrete sidewalk to match existing exposed aggregate. Contact: Christian Torrey (831) 915-8765	San Carlos 3 NE of 6th	10/2/2023	Issued
230194	Driveway	9/13/2023	Modifying the existing rolled asphalt berm in order to tie in required apron for unimproved driveway access from street.	San Carlos 2NW Santa Lucia	10/3/2023	Approved
230193	Temp Ench	9/12/2023	PG&E to trench and backfill a 5'x5' bellhole to abandon existing gas service. PM# 35449903. Contact: PG&E (408) 478-194	NW Corner of San Antonio & 9th	9/12/2023	Issued
230192	Temp Ench	9/11/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Camino Real 2 NE of 12th	9/11/2023	Issued
230191	Temp Ench	9/7/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Lincoln 2 NE of 12th	9/11/2023	Issued
230190	Temp Ench	9/7/2023	PG&E to trench & install electric services. Keep existing TX & install SEC breakers, install service riser (LOC1), replace pole & install new TX (LOC2), remove OH service (LOC3), install underground service (LOC4), upgrade & relocate panel (LOC5). PM# 35452880. Contact: PG&E (408) 478-1894	Dolores & 13th		In Review
230189	Temp Ench	9/1/2023	Dig out 4' bellhole for PG&E over gas line. To be hand dug and extend 12" onto Guadalupe St. Contact: John Cogbill (831) 277-4645	SW Corner of Guadalupe & 4th	9/7/2023	Issued

230188	Temp Ench	9/1/2023	Construction of sound panels, green screen planer wall, and concrete poured around transformer pad and screen panels installed at transformer. Contact: Ausonio, Inc. (831) 633-3371	SW Corner of Camino Real & 8th	9/13/2023	Attachment 1 Issued
230000	Temp Ench	4/1/2023	TEST PERMIT	Monte Verde 3 SE of Ocean	4/1/2023	Issued

Total Records: 30

10/5/2023



# Tree Permit Report

09/01/2023 - 09/30/2023

Permit #	Permit Date	Permit Type	Location of Property	Description	Status	Approved Date
23279	9/1/2023	Tree	Camino Real 3 SW of 4th	REMOVE: One (1) California Live Oak, 19" DBH.	In Review	
23280	9/1/2023	Tree	Junipero 2 SE of 9th (or 9th 2SW of Torres) - flag lot/purple house	PRUNING: tree trimming on private property	In Review	
23281	9/1/2023	Tree	12th Avenue 2 SW of Carmelo	REMOVE: Two (2) trees, Eucalyptus & Pine; over 30' tall. PRUNE: Eucalyptus and Pine branches overhanging by rooftops. ROOT REMOVAL: Two (2) tall trees; roots deep; Eucalyptus & Pine.	In Review	
23282	9/1/2023	Tree	Between the Chimneys Bldg. & Junipero Professional Bldg., 2 SW of 4th on Junipero #1	CITY PROPERTY: Remove one (1) tree, 15' high, Oak. Located at the 4th parking spot South of 4th Street on Junipero, across from Carmel Police Dept.	Approved	9/7/2023
23283	9/2/2023	Tree	8th Avenue 2 SE Santa Fe	Tree removal and pruning on private property. REMOVE: 1 - Monterey Pine, 94" and 1 - Coast Live Oak, 40".	Approved	9/11/2023
23284	9/5/2023	Tree	Torres 3 NW of 8th Ave.	REMOVE - PRIVATE PROPERTY: One (1) Oak tree. REMOVE - CITY PROPERTY: One (1) double-Oak tree.	In Review	
23285	9/5/2023	Tree	SW Corner Guadalupe Street and First Avenue	REMOVE: One (1) medium Monterey Pine.	Approved	9/20/2023
23286	9/7/2023	Tree	Guadalupe Street 4 NE of 5th Avenue	REMOVE: One (1) large Oak tree on private property.	Conditionally Approved	10/6/2023
23287	9/7/2023	Tree	Dolores 5 NE of Santa Lucia	REMOVE: One (1) Coast Live Oak, #768.	Denied	

23288	9/7/2023	Tree	NW Corner of Lincoln & 8th	REMOVE: Three (3) Monterey Pine trees, #388, #354 & #355.	Conditionally Approved	9/22/2023
23289	9/7/2023	Tree	1st house SW of Jane Power Walkway on Carmelo	REMOVE: One (1) Coast Live Oak, #776.	In Review	
23290	9/8/2023	Tree	Ocean 2 NW of Santa Fe	REMOVE: Two (2) large Acacia on private property.	Approved	9/14/2023
23291	9/8/2023	Tree	NE Corner of Lincoln & 8th	Removal of two dead trees from private property. One (1) unknown species is dead. One (1) Redwood is dead. Remove stumps.	Approved	9/26/2023
23292	9/11/2023	Tree	SE Corner Torres & 5th	Tree Pruning, Private Property: 2 Large pines in the NW corner, 29" and 24" DBH, remove deadwood and clean canopies, remove 4-5 lower limbs to raise canopy.	In Review	
23293	9/12/2023	Tree	Monte Verde 3 SE of 3rd	REMOVE: one (1) Eucalyptus tree on private property. PRUNE: One (1) 18" Pine. (Amended 10/3/23: Remove: one 18" pine and one eucalyptus tree)	Approved	10/3/2023
23294	9/12/2023	Tree	NE Corner of 2nd & Santa Fe	REMOVE: One (1) Monterey Pine on private property.	In Review	
23295	9/13/2023	Tree	SW corner, 8th Avenue, 3 SE of Santa Fe Street	Reconsideration of Tree Removal Application, #23019. One (1) Monterey Pine, approx. 90 ft. high x 45 in. diameter on private property.	Approved	9/29/2023
23296	9/19/2023	Tree	SW Corner of Mountain View & 8th	CITY TREES: Request to have three public trees evaluated and removed/trimmed by the City.	Approved	9/29/2023

23297	9/20/2023	Tree	Junipero Ave 2nd NE of Third, "Comstock Curtain Calls"	Remove dead dying Pine tree.		
23298	9/21/2023	Tree	NE Corner 5th & Carpenter	CITY TREES - REMOVAL & PRUNING: Two (2) Monterey pines. ROOT REMOVAL: Two (2) Monterey Pine tree roots.	Conditionally Approved	10/2/2023
23299	9/26/2023	Tree	Santa Fe 3 SW Mountain View	EVALUATION ONLY. Pine Tree Inspection (& possible removal permit)	In Review	
23300	9/26/2023	Tree w/ Construction	Mission 5 NW of Santa Lucia	CITY TREE: Tree removal of small 9" Oak tree in City Right of Way next to the driveway. PROPOSED: DEVELOPMENT OF A NEW TWO STORY SINGLE FAMILY DWELLING WITH AN ATTACHED ONE-CAR GARAGE.	In Review	
23301	9/27/2023	Tree Evaluation	1 SE Perry Newberry & 5th Ave	CITY TREE: INSPECTION REQUEST	In Review	
23302	9/27/2023	Tree	San Carlos 2 NE of Vista	CITY TREE REMOVAL: One (1) Black Acacia. Justin Ono assessed the tree on 09-15-2023 and told us it needs to come down and that a City crew will do it. THE COBURNS WILL PAY THE CITY FOR THE COST OF TREE REMOVAL.	In Review	
23303	9/27/2023	Tree	SE Casanova & 7th Ave, Carmel by the Sea, CA 93921	Cut dead tree. 1 large Pine tree, leaving the trunk 15-20' high.	Approved	9/28/2023
23304	9/28/2023	Tree	NE Corner of Guadalupe Street and 6th Avenue	CITY TREES: One (1) 27" DBH Monterey Pine tree and two (2) Coast Live Oak, 10" at the base.	In Review	

23305	9/28/2023	Tree	4 SE Crespi Ave., Carmel, CA	Monterey pine tree inspection	In Review	Attachment 1
23306	9/29/2023	Tree	Carpenter 2 NE of 2nd	PRUNING - CITY TREE: Requesting the clearance pruning for electrical house drop.		
23307	9/29/2023	Tree	Camino Real 3 NW of 11th	CITY TREE: Pine - very large. REMOVE LIMB: One (1).	In Review	
23308	9/29/2023	Tree	Torres 6 SW of 8th Ave.	REMOVE: One (1) 30" DBH Monterey Pine on private property.	In Review	
23309	9/29/2023	Tree	Carmelo 4 SE of 13th	CITY TREE - REMOVAL: One (1) Monterey Pine, 36" trunk.	In Review	

Total Records: 31

10/6/2023





# CITY OF CARMEL-BY-THE-SEA

## Monthly Report

### Public Safety

### September 2023

<b>TO:</b>	Honorable Mayor and City Council Members
<b>SUBMITTED BY:</b>	Jeff Watkins, Director of Public Safety
<b>MEETING DATE:</b>	November 6, 2023
<b>APPROVED BY:</b>	Chip Rerig, City Administrator

#### **AMBULANCE REPORT**

##### **Summary of Carmel Fire Ambulance September 2023 Calls for Service**

#### **AMBULANCE PERFORMANCE MEASURE**

The performance goal for Code-3 (life-threatening emergency lights & siren) ambulance calls with a response time of 5 minutes or less from dispatch to arrival is 95%. For the month of September 2023 the ambulance was able to meet the performance measure. The response time was 98% with (1) code-3 call over 5 minutes.

53 Calls for service in CBTS - Average response time: 3:08 min.  
48 Code 3 medical calls for service with one call over 5 min.

09/16/2023 – 2600 block of Ladera – Response time – 07:06 min – Did not hit on scene button

#### **MONTEREY FIRE REPORT**

##### **Summary of Monterey Fire September Calls for Service**

#### **FIRE PERFORMANCE MEASURE**

The performance goal for Code-3 (life-threatening emergency lights & siren) fire calls with a response time of 5 minutes or less from dispatch to arrival is 90%. For the month of September 2023, the fire department was able to meet the performance measure. The response time was 98%, with (1) code-3 calls over 5 minutes.

74 total calls for service in CBTS- Average response time: 2:58 min.  
54 total Code-3 calls – One call with a response time over 5:00 min.

09/07/2023 – Lobos and 2<sup>nd</sup> – Response time – 07:11 min – E16 responded from station 16 normal time.

#### **BEACH FIRES**

There was two illegal beach fire extinguished during the month of September.

\*The performance goal for Code-3 (life threatening emergency-lights & siren) ambulance calls with a response time of 5 minutes or less from dispatch to arrival is 95%.



**RESPONSE SUMMARY REPORT BY DISTRICT**  
**27015 CARMEL-BY-THE-SEA FIRE AMBULANCE**  
**Alarm Date From: 09/01/2023 To: 09/30/2023**



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
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**CARMEL HIGHLAND**

EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01214	00:10:27	29798 HWY 1		3
EMS call, excluding vehicle accident with injury	9/22/2023	230922-CFA01220	00:08:23	92 CORONA RD		3
EMS call, excluding vehicle accident with injury	9/27/2023	230927-CFA01241	00:14:48	170 SPINDRIFT LN		3
EMS call, excluding vehicle accident with injury	9/9/2023	230909-CFA01154	00:10:23	183 SAN REMO RD		3
EMS call, excluding vehicle accident with injury	9/7/2023	230907-CFA01146	00:12:27	30740 AURORA DEL MAR		3
Motor vehicle accident with injuries	9/17/2023	230917-CFA01198	00:09:19	HWY 1	HIGHLAND DR	3
Rescue or EMS standby	9/18/2023	230918-CFA01202	00:18:30	115 YANKEE POINT DR		3
False alarm or false call, other	9/3/2023	230903-CFA01131	00:08:58	3400 RED WOLF DR		3
		<b>8</b>	<b>0:11:39</b>			

**CARMEL VALLEY**

EMS call, excluding vehicle accident with injury	9/22/2023	230922-CFA01218	00:11:21	27160 MEADOWS RD		3
EMS call, excluding vehicle accident with injury	9/11/2023	230911-CFA01166	00:08:11	5315 CARMEL VALLEY RD		3
		<b>2</b>	<b>0:09:46</b>			

**CYPRESS**

EMS call, excluding vehicle accident with injury	9/8/2023	230908-CFA01147	00:05:44	SCENIC RD	MARTIN WAY	3
EMS call, excluding vehicle accident with injury	9/17/2023	230917-CFA01197	00:04:56	24558 PORTOLA RD		3
EMS call, excluding vehicle accident with injury	9/17/2023	230917-CFA01199	00:06:24	26240 ATHERTON DR		3
EMS call, excluding vehicle accident with injury	9/18/2023	230918-CFA01203	00:05:19	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01211	00:06:08	3529 MESA CT		3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01213	00:04:03	7 CARMEL CENTER PL		3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01215	00:05:38	26350 CARMEL RANCHO LN		3
EMS call, excluding vehicle accident with injury	9/22/2023	230922-CFA01219	00:06:28	3835 VIA MAR MONTE		3
EMS call, excluding vehicle accident with injury	9/22/2023	230922-CFA01221	00:07:41	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/23/2023	230923-CFA01222	00:04:19	3450 RIO RD		3
EMS call, excluding vehicle accident with injury	9/24/2023	230924-CFA01224	00:04:59	24769 SANTA RITA ST		3
EMS call, excluding vehicle accident with injury	9/24/2023	230924-CFA01229	00:06:20	25583 CANADA DR		3
EMS call, excluding vehicle accident with injury	9/24/2023	230924-CFA01230	00:09:45	2747 PRADERA RD		3
EMS call, excluding vehicle accident with injury	9/25/2023	230925-CFA01231	00:06:30	26135 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/25/2023	230925-CFA01233	00:04:49	26372 RIVERSIDE PL		3
EMS call, excluding vehicle accident with injury	9/26/2023	230926-CFA01238	00:05:31	CARMEL VALLEY RD	CARMEL RANCHO BLVD	3
EMS call, excluding vehicle accident with injury	9/26/2023	230926-CFA01240	00:05:28	216 CROSSROADS BLVD		3
EMS call, excluding vehicle accident with injury	9/28/2023	230928-CFA01250	00:04:26	26277 ATHERTON DR		3
EMS call, excluding vehicle accident with injury	9/29/2023	230929-CFA01252	00:06:00	3850 RIO RD		3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
<b>CYPRESS CONT.</b>						
EMS call, excluding vehicle accident with injury	9/29/2023	230929-CFA01254	00:05:20	26539 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/30/2023	230930-CFA01261	00:04:56	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/15/2023	230915-CFA01183	00:05:49	3161 SYCAMORE PL		3
EMS call, excluding vehicle accident with injury	9/14/2023	230914-CFA01177	00:07:23	26530 MISSION FIELDS RD		3
EMS call, excluding vehicle accident with injury	9/11/2023	230911-CFA01162	00:08:16	4000 RIO RD		3
EMS call, excluding vehicle accident with injury	9/11/2023	230911-CFA01161	00:06:48	3529 MESA CT		3
EMS call, excluding vehicle accident with injury	9/7/2023	230907-CFA01144	00:07:05	4380 CARMEL VALLEY RD		3
EMS call, excluding vehicle accident with injury	9/6/2023	230906-CFA01143	00:04:29	3770 WHITMAN CIR		3
EMS call, excluding vehicle accident with injury	9/2/2023	230902-CFA01129	00:06:37	24400 SAN LUIS AVE		3
EMS call, excluding vehicle accident with injury	9/1/2023	230901-CFA01124	00:06:08	26135		3
Motor vehicle accident with injuries	9/10/2023	230910-CFA01160	00:08:54	5315 CARMEL VALLEY RD		3
Motor vehicle accident with injuries	9/28/2023	230928-CFA01248	00:05:41	25717 CANADA DR		3
Accident, potential accident, other	9/17/2023	230917-CFA01195	00:05:35	HWY 1	RIBERA RD	3
False alarm or false call, other	9/13/2023	230913-CFA01173	00:04:17	2814 14TH AVE		3
<b>33</b>						
<b>MID COAST</b>						
EMS call, excluding vehicle accident with injury	9/28/2023	230928-CFA01249	00:14:36	HWY 1	SOBERANES CREEK	3
EMS call, excluding vehicle accident with injury	9/29/2023	230929-CFA01255	00:38:50	5102 GARRAPATOS RD		3
EMS call, excluding vehicle accident with injury	9/13/2023	230913-CFA01171	00:21:43	36510 HWY 1		3
EMS call, excluding vehicle accident with injury	9/3/2023	230903-CFA01130	00:16:06	36700 HWY 1		3
<b>4</b>						
<b>0:22:49</b>						
<b>MONTEREY</b>						
EMS call, excluding vehicle accident with injury	9/6/2023	230906-CFA01142	00:08:39	410 ALVARADO ST		3
EMS call, excluding vehicle accident with injury	9/15/2023	230915-CFA01179	00:11:06	FOAM ST	LIGHTHOUSE CURVE	3
EMS call, excluding vehicle accident with injury	9/9/2023	230909-CFA01155	00:09:04	201 VAN BUREN ST		3
EMS call, excluding vehicle accident with injury	9/5/2023	230904-CFA001140	00:11:47	501 LIGHTHOUSE		3
EMS call, excluding vehicle accident with injury	9/4/2023	230904-CFA001137	00:07:00	419 RAMONA AVE		3
EMS call, excluding vehicle accident with injury	9/1/2023	230901-CFA01125	00:10:30	WASHINGTON ST	DEL MONTE AVE	3
EMS call, excluding vehicle accident with injury	9/27/2023	230927-CFA01244	00:02:28	HWY 1	AGUAJITO RD	2
<b>7</b>						
<b>0:08:39</b>						
<b>PACIFIC GROVE</b>						
EMS call, excluding vehicle accident with injury	9/20/2023	230920-CFA01208	00:11:05	2835 DAVID AVE		3
EMS call, excluding vehicle accident with injury	9/28/2023	230928-CFA01247	00:14:05	675 HOFFMAN AVE		3
EMS call, excluding vehicle accident with injury	9/11/2023	230911-CFA01164	00:12:07	886 LAINE ST		3
EMS call, excluding vehicle accident with injury	9/8/2023	230908-CFA01148	00:10:29	949 14TH ST		3
EMS call, excluding vehicle accident with injury	9/5/2023	230905-CFA01138	00:15:11	210 ASLOMAR AVE		3
<b>5</b>						
<b>0:12:35</b>						
<b>PEBBLE BEACH</b>						
EMS call, excluding vehicle accident with injury	9/12/2023	230912-CFA01170	00:10:01	1630 SONADO RD		3
EMS call, excluding vehicle accident with injury	9/2/2023	230902-CFA01127	00:07:13	3209 STILLWATER LN		3
<b>2</b>						
<b>0:08:37</b>						

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
<b>SEASIDE</b>						
EMS call, excluding vehicle accident with injury	9/3/2023	230903-CFA01133	00:13:31	977 TRINITY AVE		3
EMS call, excluding vehicle accident with injury	9/19/2023	230919-CFA01206	00:17:23	700 BRIGGS AVE		3
		2	0:15:27			

Code 2 Calls	1
Code 3 Calls	61
Total # of Incidents	62
Total Average Response Time	0:11:57

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
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322-399 Series (Rescues)

Motor vehicle accident with injuries	9/19/2023	230919-CFA01207	00:02:48	2ND AVE	CARPENTER ST	3
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1

0:02:48

400 Series (Hazardous Material)

Hazardous condition, other	9/18/2023	230918-CFA01201	00:03:25	JUNIPERO AVE	11TH AVE	3
Hazardous condition, other	9/21/2023	230921-CFA01212	00:04:51	JUNIPERO AVE	8TH AVE	2
Hazardous condition, other	9/24/2023	230924-CFA01228	00:03:39	CAMINO REAL ST	10TH AVE	3
Hazardous condition, other	9/27/2023	230927-CFA01245	00:04:31	GUADALUPE ST	5TH AVE	2
Hazardous condition, other	9/30/2023	230930-CFA01258	00:01:41	3RD AVE	DOLORES ST	3
Gas leak (natural gas or LPG)	9/7/2023	230907-CFA01145	00:03:02	3RD AVE	LINCOLN ST	3
Electrical wiring/equipment problem, other	9/29/2023	230929-CFA01253	00:04:23	SAN CARLOS ST	11TH AVE	2

7

0:03:39

500 & 600 Series (Service Calls)

Water or steam leak	9/16/2023	230916-CFA01189	00:04:07	SAN CARLOS ST	8TH AVE	3
Water or steam leak	9/30/2023	230930-CFA01260	00:03:13	JUNIPERO AVE	4TH AVE	3
Water or steam leak	9/26/2023	230926-CFA01237	00:03:22	JUNIPERO AVE	10TH AVE	3
Public service assistance, other	9/10/2023	230910-CFA01158	00:02:51	LINCOLN ST	7TH AVE	3
Assist invalid	9/1/2023	230901-CFA01123	00:03:47	SAN CARLOS St	8TH AVE	2
Assist invalid	9/15/2023	230915-CFA01185	00:01:53	MONTE VERDE ST	9TH AVE	3
Assist invalid	9/25/2023	230925-CFA01235	00:02:27	CASANOVA ST	8TH AVE	2
Defective elevator, no occupants	9/24/2023	230924-CFA01226	00:00:54	OCEAN AVE	SAN CARLOS ST	3

8

0:02:49

700 Series (False Alarms)

False alarm or false call, other	9/9/2023	230909-CFA01153	00:04:56	3090 RIO RD		3
False alarm or false call, other	9/9/2023	230909-CFA01156	00:02:35	JUNIPERO AVE	5TH AVE	3
False alarm or false call, other	9/9/2023	230909-CFA01157	00:02:26	JUNIPERO AVE	OCEAN AVE	3
False alarm or false call, other	9/15/2023	230915-CFA01180	00:03:28	MONTE VERDE ST	10TH AVE	3
False alarm or false call, other	9/20/2023	230920-CFA01209	00:04:29	3053 RIO RD	3053 RIO RD	3
Smoke detector activation, no fire - unintentional	9/28/2023	230928-CFA01246	00:01:41	GUADALUPE ST	3RD AVE	3
Carbon monoxide detector activation, no CO	9/15/2023	230915-CFA01178	00:04:08	MISSION ST	8TH AVE	3
Carbon monoxide detector activation, no CO	9/15/2023	230915-CFA01181	00:02:29	CAMINO REAL ST	13TH AVE	3

8

0:03:17

Over 5 Minute Response Times Cause of Delay: Code 3 Responses

230916-CFA01187 Did not hit the on scene button

Total # of Incidents	Code 2 Calls	Code 3 Calls
53	48	5
% Under 5 Minute Response Time	98%	
Total Average Response Time	0:03:08	



RESPONSE SUMMARY REPORT BY DISTRICT  
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE  
Alarm Date From: 09/01/2023 To: 09/30/2023



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
<b>300-321 Series (EMS)</b>						
EMS call, excluding vehicle accident with injury	9/2/2023	230902-CFA01128	00:04:44	LINCOLN ST	11TH AVE	3
EMS call, excluding vehicle accident with injury	9/3/2023	230903-CFA01132	00:02:49	3080 RIO RD		3
EMS call, excluding vehicle accident with injury	9/3/2023	230903-CFA01134	00:02:10	LINCOLN ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/3/2023	230903-CFA01135	00:02:24	SAN CARLOS ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/5/2023	230905-CFA01139	00:02:06	MONTE VERDE ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/8/2023	230908-CFA01149	00:02:52	LINCOLN ST	3RD AVE	3
EMS call, excluding vehicle accident with injury	9/8/2023	230908-CFA01150	00:01:51	MISSION ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/9/2023	230909-CFA01151	00:03:11	DOLORES ST	13TH AVE	3
EMS call, excluding vehicle accident with injury	9/9/2023	230909-CFA01152	00:02:48	OCEAN AVE	SAN CARLOS ST	3
EMS call, excluding vehicle accident with injury	9/10/2023	230910-CFA001159	00:02:00	MOUNTAIN VIEW	MOUNTAIN VIEW	3
EMS call, excluding vehicle accident with injury	9/11/2023	230911-CFA01163	00:03:13	MONTE VERDE ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/12/2023	230912-CFA01168	00:02:09	LINCOLN ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/12/2023	230912-CFA01169	00:01:46	6TH AVE	LINCOLN ST	3
EMS call, excluding vehicle accident with injury	9/13/2023	230913-CFA01172	00:03:46	CARMELO ST	11TH AVE	3
EMS call, excluding vehicle accident with injury	9/13/2023	230913-CFA01174	00:04:03	LINCOLN ST	13TH AVE	3
EMS call, excluding vehicle accident with injury	9/14/2023	230914-CFA01176	00:03:50	MONTE VERDE ST	10TH AVE	3
EMS call, excluding vehicle accident with injury	9/15/2023	230915-CFA01182	00:03:53	SAN CARLOS ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/16/2023	230916-CFA01187	00:07:06	26152 LADERA DR		3
EMS call, excluding vehicle accident with injury	9/18/2023	230918-CFA01200	00:03:59	OCEAN AVE	TORRES ST	3
EMS call, excluding vehicle accident with injury	9/18/2023	230918-CFA01205	00:03:27	SANTA RITA ST	6TH AVE	3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01210	00:04:00	MISSION ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01216	00:02:19	SAN CARLOS ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01217	00:03:07	SAN CARLOS ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/23/2023	230923-CFA01223	00:03:10	CAMINO REAL ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/24/2023	230924-CFA01227	00:01:31	OCEAN AVE	SAN CARLOS ST	3
EMS call, excluding vehicle accident with injury	9/25/2023	230925-CFA01234	00:03:11	N CAMINO REAL	2ND AVE	3
EMS call, excluding vehicle accident with injury	9/27/2023	230927-CFA01242	00:05:00	DOLORES ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/27/2023	230927-CFA01243	00:02:49	OCEAN AVE	MISSION ST	3
EMS call, excluding vehicle accident with injury	9/30/2023	230930-CFA01257	00:02:07	DOLORES ST	7TH AVE	3
<b>29</b>						
<b>0:03:09</b>						





# CITY OF CARMEL - FIRE AMBULANCE DEPARTMENT SEPTEMBER 2023 Response Summary Report by District Type

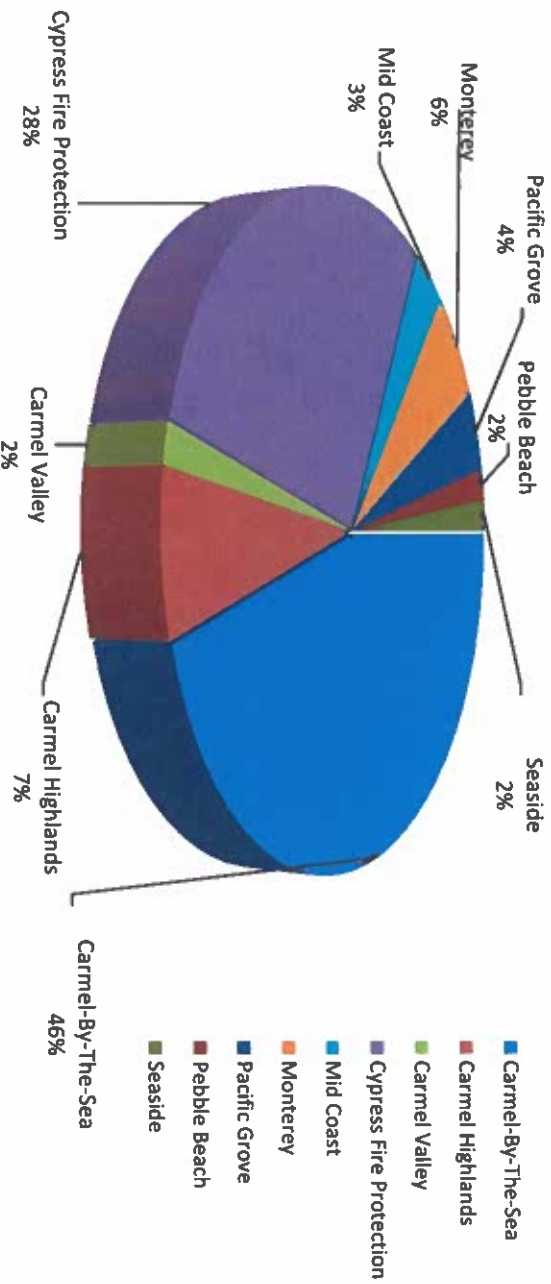


District Response	Number	Average Response Time
Carmel-By-The-Sea	53	3:08
Carmel Highlands	8	11:39
Carmel Valley	2	9:46
Cypress Fire Protection	33	6:00
Mid Coast	4	22:49
Monterey	7	8:39
Pacific Grove	5	12:35
Pebble Beach	2	8:37
Seaside	2	15:27

Total Responses

116

10:57



Total Code 3 Calls:

48

CFA Response Times for Code 3

Calls ≤ 5 minutes:

98%

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
<b>322-399 Series (Rescues)</b>						
Motor vehicle accident with injuries	9/19/2023 4:36 PM	230919-MNT07262	0:02:54	2ND AVE	CARPENTER ST	3
Removal of victim(s) from stalled elevator	9/24/2023 3:45 PM	230924-MNT07401	0:00:28	OCEAN AVE	SAN CARLOS ST	2
<b>2</b>						
<b>0:01:41</b>						
<b>400 Series (Hazardous Material)</b>						
Gas leak (natural gas or LPG)	9/7/2023 12:03 PM	230907-MNT06932	0:03:43	3RD AVE	LINCOLN ST	3
Biological hazard, confirmed or suspected	9/22/2023 3:04 PM	230922-MNT07344	0:02:26	6TH AVE	MISSION ST	3
Accident, potential accident, other	9/18/2023 8:20 AM	230918-MNT07220	0:03:49	JUNIPERO AVE	11TH AVE	3
<b>3</b>						
<b>0:03:19</b>						
<b>500 &amp; 600 Series (Service Calls)</b>						
Water evacuation	9/16/2023 12:18 PM	230916-MNT07173	0:03:40	SAN CARLOS ST	8TH AVE	2
Water or steam leak	9/30/2023 3:58 PM	230930-MNT07574	0:02:32	JUNIPERO AVE	4TH AVE	2
Water or steam leak	9/30/2023 10:56 AM	230930-MNT07563	0:03:23	3RD AVE	DOLORES ST	2
Water or steam leak	9/11/2023 3:05 PM	230911-MNT07052	0:04:15	VIZCAINO	S MOUNTAIN VIEW AVE	2
Water or steam leak	9/26/2023 11:26 AM	230926-MNT07448	0:05:46	JUNIPERO AVE	10TH AVE	2
Public service	9/27/2023 11:32 PM	230927-MNT07495	0:01:38	GUADALUPE ST	5TH AVE	3
Public service	9/3/2023 5:25 PM	230903-MNT06836	0:02:01	MONTA VERDE ST	8TH AVE	3
Public service	9/17/2023 12:39 PM	230917-MNT07194	0:02:13	LINCOLN ST	7TH AVE	3
Public service	9/15/2023 7:40 PM	230915-MNT07155	0:02:54	MONTA VERDE ST	9TH AVE	3
Public service	9/16/2023 4:12 PM	230918-MNT07230	0:03:11	8TH AVE	TORRES ST	2
Public service	9/16/2023 8:07 AM	230916-MNT07163	0:03:35	TORRES ST	8TH AVE	2
Public service	9/29/2023 12:23 PM	230929-MNT07536	0:04:26	SAN CARLOS ST	11TH AVE	2
Public service	9/21/2023 10:50 AM	230921-MNT07298	0:04:35	JUNIPERO AVE	8TH AVE	2
Public service	9/17/2023 7:21 AM	230917-MNT07190	0:05:48	MISSION ST	ALTA AVE	2
Public service	9/28/2023 9:27 PM	230928-MNT07521	0:00:58	MISSION ST	3RD AVE	2
Assist invalid	9/19/2023 9:26 AM	230919-MNT07251	0:01:04	SAN CARLOS ST	7TH AVE	3
Assist invalid	9/25/2023 7:43 PM	230925-MNT07435	0:01:57	CASANOVA ST	8TH AVE	2
Assist invalid	9/1/2023 12:48 AM	230901-MNT06765	0:03:22	SAN CARLOS ST	8TH AVE	2
Assist invalid	9/4/2023 3:17 PM	230904-MNT06861	0:04:10	MISSION ST	10TH AVE	2
Assist invalid	9/12/2023 4:11 AM	230912-MNT07058	0:06:12	MISSION ST	10TH AVE	2
Assist invalid	9/8/2023 1:23 PM	230908-MNT06964	0:06:14	CARMELO ST	9TH AVE	2
Dispatched & canceled en route	9/12/2023 9:04 AM	230912-MNT07062	0:01:27	6TH AVE	LINCOLN ST	3
Dispatched & canceled en route	9/25/2023 3:50 PM	230925-MNT07428	0:03:43	N CAMINO REAL	2ND AVE	3
No incident found on arrival at dispatch address	9/9/2023 11:57 PM	230909-MNT07004	0:02:28	JUNIPERO AVE	OCEAN AVE	3
No incident found on arrival at dispatch address	9/10/2023 9:07 AM	230910-MNT07010	0:02:38	LINCOLN ST	7TH AVE	3
No incident found on arrival at dispatch address	9/28/2023 1:47 PM	230928-MNT07508	0:03:05	JUNIPERO ST	12TH AVE	2
No incident found on arrival at dispatch address	9/24/2023 6:45 PM	230924-MNT07409	0:03:30	CAMINO REAL ST	10TH AVE	3
No incident found on arrival at dispatch address	9/9/2023 11:40 PM	230909-MNT07002	0:03:53	JUNIPERO AVE	5TH AVE	3
No incident found on arrival at dispatch address	9/7/2023 12:11 PM	230907-MNT06933	0:07:11	LOBOS ST	2ND AVE	3
EMS call, party transported by non-fire agency	9/3/2023 6:50 PM	230903-MNT06839	0:02:00	LINCOLN ST	7TH AVE	3
EMS call, party transported by non-fire agency	9/3/2023 6:04 PM	230903-MNT06838	0:03:16	LINCOLN ST	7TH AVE	3
EMS call, party transported by non-fire agency	9/21/2023 11:18 PM	230921-MNT07321	0:03:30	SAN CARLOS ST	8TH AVE	3
<b>32</b>						
<b>0:03:27</b>						



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
700 Series (False Alarms)						
Smoke detector activation, no fire - unintentional	9/17/2023 3:23 PM	230917-MNT07200	0:01:02	CAMINO REAL ST	4TH AVE	2
Smoke detector activation, no fire - unintentional	9/17/2023 11:45 PM	230917-MNT07211	0:03:44	LINCOLN ST	7TH AVE	3
Smoke detector activation, no fire - unintentional	9/9/2023 4:52 PM	230909-MNT06995	0:04:58	3090 RIO RD		3
Detector activation, no fire - unintentional	9/28/2023 8:22 AM	230928-MNT07498	0:01:34	GUADALUPE ST	3RD AVE	2
Alarm system activation, no fire - unintentional	9/23/2023 12:02 PM	230923-MNT07363	0:04:58	4TH AVE	CAMINO REAL ST	3
Carbon monoxide detector activation, no CO	9/15/2023 11:40 AM	230915-MNT07148	0:03:53	CAMINO REAL ST	13TH AVE	3
Carbon monoxide detector activation, no CO	9/15/2023 5:28 AM	230915-MNT07133	0:04:15	MISSION ST	8TH AVE	3
			0:03:29			
Over 5 Minute Response Times Cause of Delay: Code 3 Responses						
230907-MNT06933 E16 responded from St. 16 area, normal response time						
Code 2 Calls						20
Code 3 Calls						54

Code 2 Calls	20
Code 3 Calls	54
Total # of Incidents	74
% Under 5 Minute Response Time	98%



**CARMEL-BY-THE-SEA**  
**SEPTEMBER 2023**  
**Response Summary Report by Incident Type**

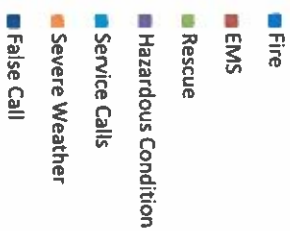
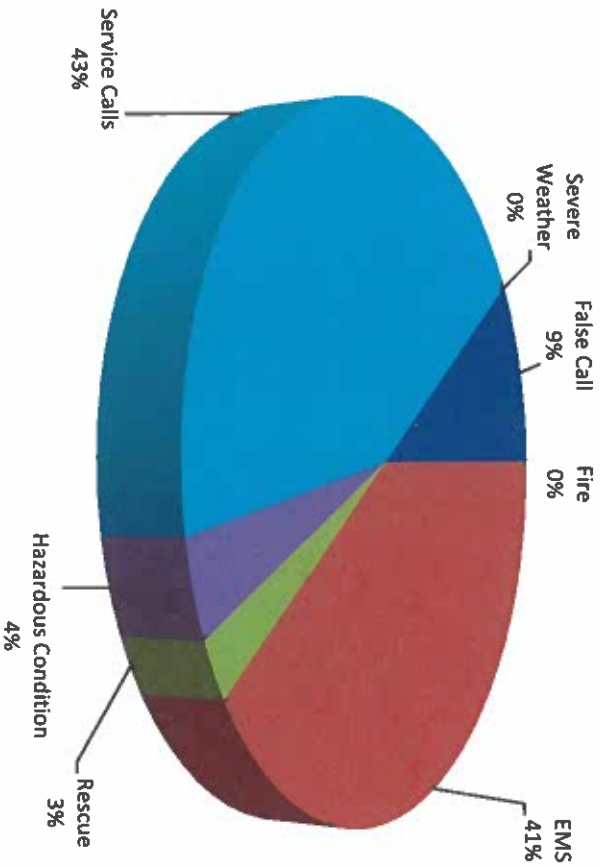


<u>Type of Call</u>	<u>Number</u>	<u>Average Response Time</u>
Fire	0	0:00
EMS	30	2:54
Rescue	2	1:41
Hazardous Condition	3	3:19
Service Calls	32	3:27
Severe Weather	0	0:00
False Call	7	3:29

Total Responses

74

2:58



Total Code 3 Calls:

54

Response Times for Code 3

Calls ≤ 5 minutes:

98%

## Police Record Request Log - September 2023

Request Date & Received By	10-Day Due Date	Date Completed by PSO	Requestor	Info Requested	Status
9/1/23 DA	9/11/2023	9/2/23 DA	Metropolitan Reporting Bureau	CA2300389	completed
9/1/23 DA	9/11/2023	9/2/23 DA	Lexis Nexis	CA2300458 Photos only	completed
9/1/23 DA	9/11/2023	9/2/23 DA	Lexis Nexis	CA2300458 Photos only	completed
9/1/23 DA	9/11/2023	9/2/23 DA	Lexis Nexis	CA2100458 Photos only	completed
9/1/23 DA	9/11/2023	9/2/23 DA	Lexis Nexis	CA2100458 Photos only	completed
9/1/23 DA	9/11/2023	9/2/23 DA	Lexis Nexis	CA2100458 Photos only	completed
9/6/23 DA	9/16/2023	9/6/23 DA	Rick Firmand	CA2300370	completed
9/8/23 DA	9/18/2023	9/9/23 DA	Lexis Nexis	CA2300389	completed
9/8/23 DA	9/18/2023	9/9/23 DA	Lexis Nexis	CA2300399	completed
9/8/23 DA	9/18/2023	9/9/23 DA	Lexis Nexis	Accident Report	No Report Found
9/8/23 DA	9/18/2023	9/9/23 DA	Lexis Nexis	CC23000319	completed
9/14/23 DA	9/24/2023	9/15/23 DA	State Contractor Board	CG1800427	completed
9/15/23 DA	9/25/2023	9/15/23 DA	Kaitlyn Bruce	Robbery Report for French Laundry Restaurant	No Report Found
9/15/23 DA	9/25/2023	9/15/23 DA	Lexis Nexis	CC2300326	completed
9/15/23 DA	9/25/2023	9/15/23 DA	Lexis Nexis	CA2300400	completed
9/15/23 DA	9/25/2023	9/15/23 DA	Metropolitan Reporting Bureau	CA2300405	completed
9/15/23 DA	9/25/2023	9/15/23 DA	Gary Jewell	CA2300405	completed
09/19/23 mw	9/29/2023	9/28 DA	Martha Daly / Judi Marquart	CG2300346	completed
9/14/23 DA	9/24/2023	9/28 DA	Theresa Buccola	9 separate requests for BWC, Car Videos, Business Cameras, etc	completed
9/27/23 DA	10/7/2023	9/28/23 DA	Lexis Nexis x 8 requests	CA2100458 Photos only	denied, dup request
9/28/23 DA	10/8/2023	9/29/23 DA	Metropolitan Reporting Bureau	CA2300005	completed

## City Clerk Public Record Request Log - September 2023

Request Number	Date Requested	10-day Response Date	Records Requested	Requestor Name	Date Completed	Notes
2023-96 (Nex-tRe-request ID# 2023-14)	9/15/2023	9/25/2023	List of all active business licenses including name, business lic #, address, and business type	Carmen Ludizaca	10/2/2023	Records sent
2023-97	9/19/2023	9/29/2023	copy of minutes from 7/11/23 City Council meeting, and staff report, attachments, etc. regarding the User Fee Schedule agenda item	Carl Iverson	9/19/2023	records sent
2023-98	9/25/2023	10/5/2023	current plans for the following projects, and the dates of approval by the Planning Commission: Assessor's Parcel Number (APN):009382019000 MAP OF 1ST ADD TO MISSION TR LOT 2 BLK 9	David O'Neil	9/25/2023	records sent
2023-99 (Next Request ID# 2023-15)	9/26/2023	10/6/2023	copies of the following documents pertaining to the City Hall Retaining Wall Repair project, DIR 462858: 1) Payroll records for Structural Services and Foundation Repair, Inc., and 2) Statement of Employer Payment for Structural Services and Foundation Repair, Inc.	J. Atencio	10/9/2023	records sent
2023-100 (Next request ID# 2023-16)	9/26/2023	10/6/2023	copies of all permits filed between 1990-2023 by the contractor "Joe Eduardo Silva, Central Bay Construction, State Contractors Lic # 678521" or "Central Bay Construction", address/type of work/ materials used, name/contact of general contractor in charge of the project or building owner.	Lee Wolfe	10/2/2023	response sent - no records found

Request Number	Date Requested	10-day Response Date	Records Requested	Requestor Name	Date Completed	Notes
2023-101	9/27/2023	10/9/2023	"Planning Files" related to the current construction on Assessor's Parcel Number (APN): 010173020000	David O'Neil	9/27/2023	response sent from Planning
2023-102 (Next Request ID # 2023-14)	9/15/2023	9/25/2023	List of all active business licenses including name, business lic #, address, and business type	Camen Ludizaca	10/2/2023	records sent



## **CITY OF CARMEL-BY-THE-SEA**

### **Public Works Department**

### **September 2023 Monthly Report**

<b>TO:</b>	Honorable Mayor and City Council Members
<b>SUBMITTED BY:</b>	Robert M. Harary, P.E., Director of Public Works
<b>SUBMITTED ON:</b>	October 3, 2023
<b>APPROVED BY:</b>	Chip Rerig, City Administrator

#### **City Council Meeting of September 12, 2023**

- Adopted Resolution 2023-081, authorizing submittal of a \$500,000 Local Coastal Program Local Assistance Grant application to the Coastal Commission for the Coastal Engineering, Phase II Project.
- Adopted Resolution 2023-082, rejecting bids for 4 facility renovation projects (City Hall roof, Sunset Center north wing painting, Cottage window repairs, and Harrison Memorial Library exterior/interior painting), and directed staff to re-evaluate bidding alternatives. Low bid was nearly twice the estimate.
- Adopted Resolution 2023-083, approving Amendment No. 1 to the Professional Services Agreement with BKF Engineers for additional work associated with the Ocean Avenue Concrete Streets Repair Project, for a fee of \$49,092.
- Adopted Resolution 2023-088, accepting a \$25,000 donation for nature play equipment at Forest Hill Park, funded and installed by the Leadership Carmel Class of 2023, with support from Public Works.
- Provided drainage information regarding the Kostigen Family Trust claim against the City.

#### **Forest and Beach Commission Special Meeting of September 7, 2023**

- Commissioners and the Urban Forest Master Plan (UFMP) Steering Committee members jointly reviewed the draft Community Survey associated with the UFMP and refined the questions to reach consensus. Survey to be launched to the public as soon as possible following online beta testing, and remain open for 45 days.

#### **Forest and Beach Commission Meeting of September 14, 2023**

- At the northwest corner of Lincoln Street and Twelfth Avenue, denied the removal of a Monterey pine tree until the Applicant can provide evidence that damage to the home was directly caused by the tree, but waived permit and appeal fees for this tree for up to five years.
- Environmental Programs Manager Mary Bilse explained federal and state laws associated with Carmel Beach, introduced guidelines to remove trash from Carmel Beach in a consistent manner, but to keep all ecologically natural materials on the beach, and noted that these guidelines would support a new policy for City Council consideration. To provide time for staff to address comments and concerns, the Commission continued the matter to the October 12<sup>th</sup> meeting.
- Ms. Bilse also introduced a new sign to be installed in the Del Mar parking lot that was proposed by the California Marine Sanctuary Foundation and Marine Protected Area Collaborative. The sign would indicate that the beach is in a Marine Protected Area. Commission also continued to October 12<sup>th</sup>.
- Commissioners further discussed the beach infrastructure Tour of Inspection conducted in July and expressed continued concerns about the urgency of the repairs needed for the beach access stairs, revetments, and sea walls, and the potential for further damage due to upcoming winter storms.
- City Forester Justin Ono presented the Forester's Report for August 2023. This was the first time since January when the City Forester presented a stand-alone Forestry Division report.
- Presented the Public Works Report for August 2023 regarding forestry, parks, and beach-related issues performed by other Public Works divisions.

**Administration**

- Facility Maintenance Supervisor Cleve Waters received the distinguished Paul Harris Fellows Award at the Carmel Rotary Club meeting.
- Prepared staff report for the Council meeting on October 2<sup>nd</sup> to approve a new stop sign for westbound First Avenue at the Lincoln Street intersection, and two new stop signs on Second Avenue at the intersection of Lincoln Street, all as recommended by the Traffic Safety Committee.
- Coordinated with Wave Broadband to finalize their encroachment permit's special conditions of approval, reviewed CEQA and guide wire impacts, and prepared a presentation, to explain their fiber optics project, construction impacts, and mitigation measures for the October 3<sup>rd</sup> Council meeting.
- Acting Senior HR Analyst Marisa Bermudez was the special guest at the September Public Works staff meeting. She gave an exceptional overview of the 457 deferred compensation plans available to employees – something a number of employees previously knew nothing about.
- Several staff attended a storm water Best Management Practices workshop in Seaside.
- Continued to update the Master Contracts database, by removing expired contracts and agreements, and uploading active contracts and agreements.

**Carmel Cares and Other Volunteer Groups**

- Carmel Cares volunteers escorted 800 school children from Carmel Plaza to Forest Theater to attend Monterey Symphony performances.
- Ten Carmel High School Interact Club students cleaned up the landscaping around the Del Mar parking lot and planted native shrubs.
- A new faucet was installed for a water connection on Scenic Road near Thirteenth Avenue. Additional work to replace the adjacent water valve is underway.
- A quote was received from a roofing contractor to apply a weatherproofing coating to the back deck at the Fire Station. Quote and permit application under review.
- Concrete, electrical, and drainage work associated with the Forest Theater sound cabinet system was installed without proper permits and was “red tagged” by the Building Official. Corrections under way.
- “Median Minders” volunteers continued to improve medians across the Village.
- “Downtown Detail” volunteers further improved landscaping around the Post Office parking lot.
- The Friends of Mission Trail Nature Preserve installed a wooden footbridge over the muddy bog on the Doolittle Trail using lumber provided by Public Works.

**Environmental Programs**

- Prepared staff report for City Council approval on October 2<sup>nd</sup> to re-establish the Climate Committee. The re-formed committee will consist of four rather than eight members, and meet as needed, rather than monthly. Committee to review certain Coastal Engineering Study reports and other climate adaptation projects over time.
- For the Coastal Engineering Study, the report for Task 2, Shoreline and Beach Change Analysis, was reviewed and approved. Report is available on the Public Works website.
- Also for the Coastal Engineering Study, a meeting was held to review Task 5, regarding the City's existing Local Coastal Program and related policies, and a draft report was submitted for City review.
- Completed the City's draft Stormwater Ordinances by removing certain comments requested by the Coastal Commission staff, but determined to be unacceptable to the City Attorney's office. Ordinances to be introduced for the first reading/Public Hearing at the November Council meeting.
- Began to assemble technical responses to the onerous and complex Annual Stormwater Report as required by the California Water Quality Control Board. Report due in mid-October.
- Performed dry weather water quality sampling with the California Marine Sanctuary Foundation.
- Environmental Administrative Technician Jessica Juico attended the annual California Stormwater Quality Association Conference in San Diego.
- Prepared staff report for the October 12 Forest and Beach Commission meeting for a second review of the proposed Carmel Beach cleanup guidelines as required in a Marine Sanctuary and Area of Special Biological Significance. Comments received at the introduction of this policy at the September meeting were evaluated and incorporated into the policy as necessary.

- For the North Dunes Habitat Restoration Project, Denise Duffy & Associates prepared a report summarizing the work completed during FY 2021/22 and 2022/23, and outlining work proposed for FY 2023/24. Report to be presented at the October 12th Forest and Beach Commission meeting.
- Ordered 20 dual trash/recycling and 10 trash-only, ribbon-style containers.
- Public outreach noted in Friday Letters included: storm water pollution prevention tips, and Stormwater Awareness Week workshops.

### **Facility Maintenance**

- Substantially completed remodel of the Police Dispatch room, as the grant-funded modular furniture was installed, and electrical refinements were made. Work remains on IT systems.
- For the FY 2023/24 ADA Upgrades Project, ordered new ADA-compliant restroom mirrors.
- Contractor adjusted hinges for glass doors into the Gathering Room at the Harrison Memorial Library.
- With the new electrical switches project completed in the Public Works Garage, other contractors replaced a portion of temporarily-removed ductwork, and the exhaust system was adjusted.
- Obtained updated quotes for the Sunset Center Fire Pump recirculation pump project.
- At the Forest Hill Park restrooms, refurbished a sink and installed LED lighting fixtures.
- Replaced motors and made repairs to various hand dryers.
- Installed 10 boxes for new automated external defibrillators donated to the City.
- Completed replacement of corroded drinking fountain heads at City-wide locations.
- Set up and supported the Flu Clinic at Vista Lobos.

### **Project Management for the Capital Improvement Program**

#### 4 Leaf Projects:

- For the Police Building Renovation Project, Indigo Architects submitted the draft existing Building Condition Assessment Report and a Space Programming Needs Report. Reports were reviewed by staff, and comments were returned to Indigo.

#### Ausonio, Inc. Projects:

- Following Council's rejection of the bids received for the bundled City Hall Roof Replacement, Sunset Center Exterior Painting - north wing, Cottage Windows Repairs, and Harrison Memorial Library Exterior/Interior Painting projects, the Project Team decided to reformulate the package into separate painting, roofing, and window carpentry components (ultimately 3 bid and construction packages).
- The first package for rebidding will be for painting the Sunset Center north wing and the Harrison Memorial Library exterior, with interior painting as an alternate. Key modifications to the bidding documents over the larger, bundled project will include: allow licensed painting contractors to bid the project, rather than general contractors, remove non-essential construction requirements, increase contract time for the work, and modify the approach for hazardous materials testing. The revised, draft package was checked by staff, and re-bidding is anticipated to commence by late October.

#### Wallace Group Projects:

- For the FY 22/23 Concrete Streets Repair Project, BKF Engineers performed the additional surveying associated with Amendment No. 1 to their Agreement for intermittent street returns along Ocean Avenue. Their 95% complete design plans and technical specifications are anticipated in November.
- For the FY 23/24 City-wide Paving Project, staff reviewed and negotiated the proposed scope of work, fees, and schedule with Wallace Group for Wallace to perform the engineering and design work. Amendment to the Wallace Agreement for this project is anticipated for approval at the November Council meeting.
- For the Coastal Infrastructure Repair Project, staff reviewed and negotiated the proposed scope of work, fees, and schedule with Wallace Group for them to oversee a third-party design consultant. Amendment to the Wallace Agreement for this project also anticipated for approval at the November Council meeting.



Additional Capital Projects:

- For the MTNP Well and Tank/Pump House Removal Project, the Preconstruction Meeting was held, and contractor submittals were checked. Field demolition to begin on October 2<sup>nd</sup>.
- For the FY 2021/22 Paving Project, two bids were received at the public Bid Opening on September 12<sup>th</sup>. This Project covers asphalt overlays along seven streets, micro-surfacing along three streets, and four sidewalk repairs. The lower based bid of \$1.1 million, submitted by Monterey Peninsula Engineering, can be awarded by Council at the November meeting upon approval to transfer \$200,000 from the CIP Contingency Fund.
- For the MTNP 3 Drainage Improvement Projects, after a year of regulatory hurdles by the California Department of Fish and Wildlife to obtain the last of three regulatory permits, the City's permit application was finally deemed complete, triggering a 60-day determination clock.
- For the 4 Drainage Improvements Project, Neill Engineers performed field surveying and utility records research. Initial site visits for right-of-way and environmental impacts were also performed by staff.
- For the Electrical Panel Upgrades Project, Advance Design Consultants installed load testing meters at City Hall, Fire Station, and Vista Lobos to analyze power demands over a 30-day period.

**Street Maintenance**

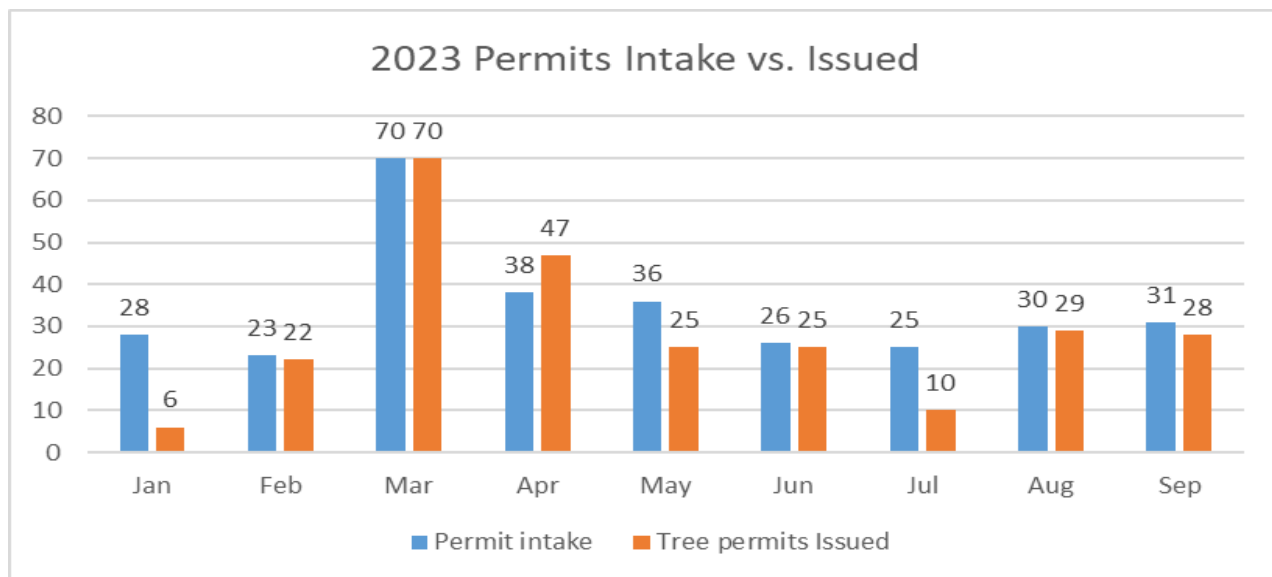
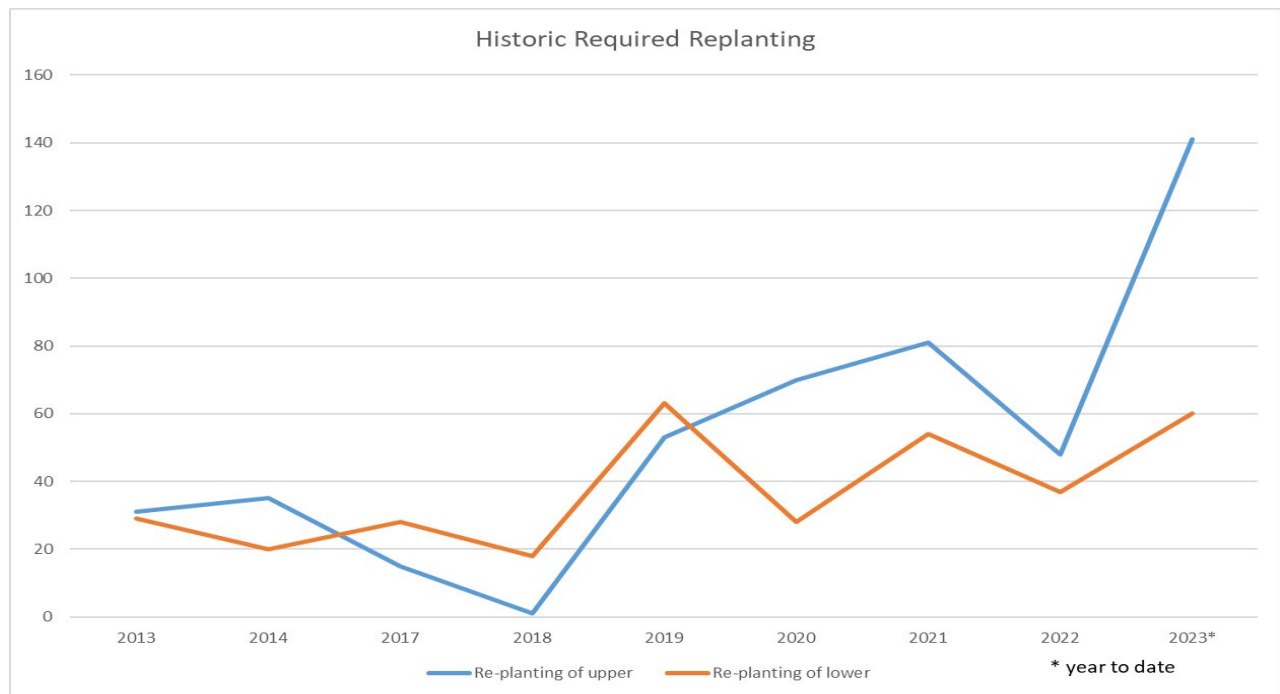
- Provided extra dumpsters, portable toilets, sinks, and staff for the Labor Day Holiday weekend.
- Supported Police with traffic control for the Homecoming Parade.
- Installed 220 feet of post and rail fencing along Mission Street on the west side of Forest Hill Park to prevent pedestrians from walking down the embankment and causing erosion.
- As approved by the Traffic Safety Committee, installed a "25 Zone Ahead" sign for southbound Carpenter Street following Monterey County permit approval. Also converted a vehicle parking space near the Junipero Street exit driveway to be motorcycle-only parking.
- Installed new Pedestrian Crossing Signs in the crosswalk on Rio Road, just west of Ladera Drive.
- Replaced a bench on the Scenic Pathway near Martin Way, and installed a commemorative plaque.
- Made repairs to guardrails, and post and rail fences.
- Buried three dead seals which washed up near the south end of Carmel Beach.
- Made repairs to Police vehicles and replaced the drive belt on the Forestry gator.

**Forestry, Parks, and Beach (Forester's Report)**

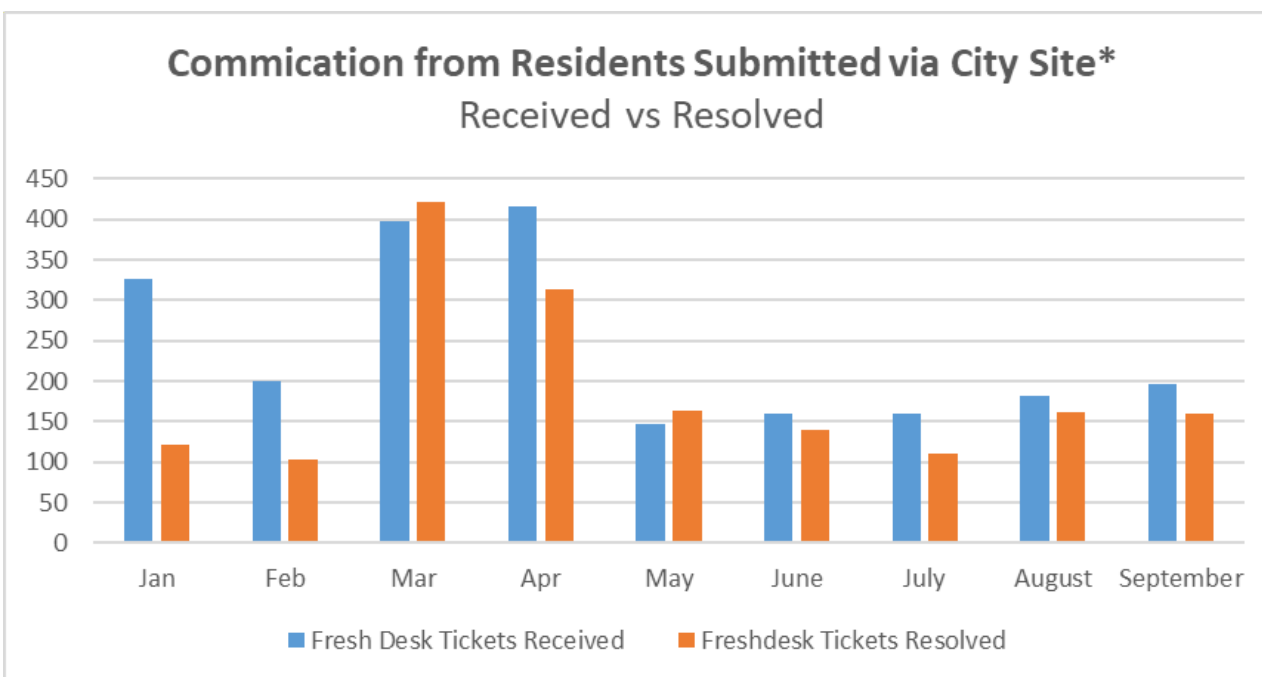
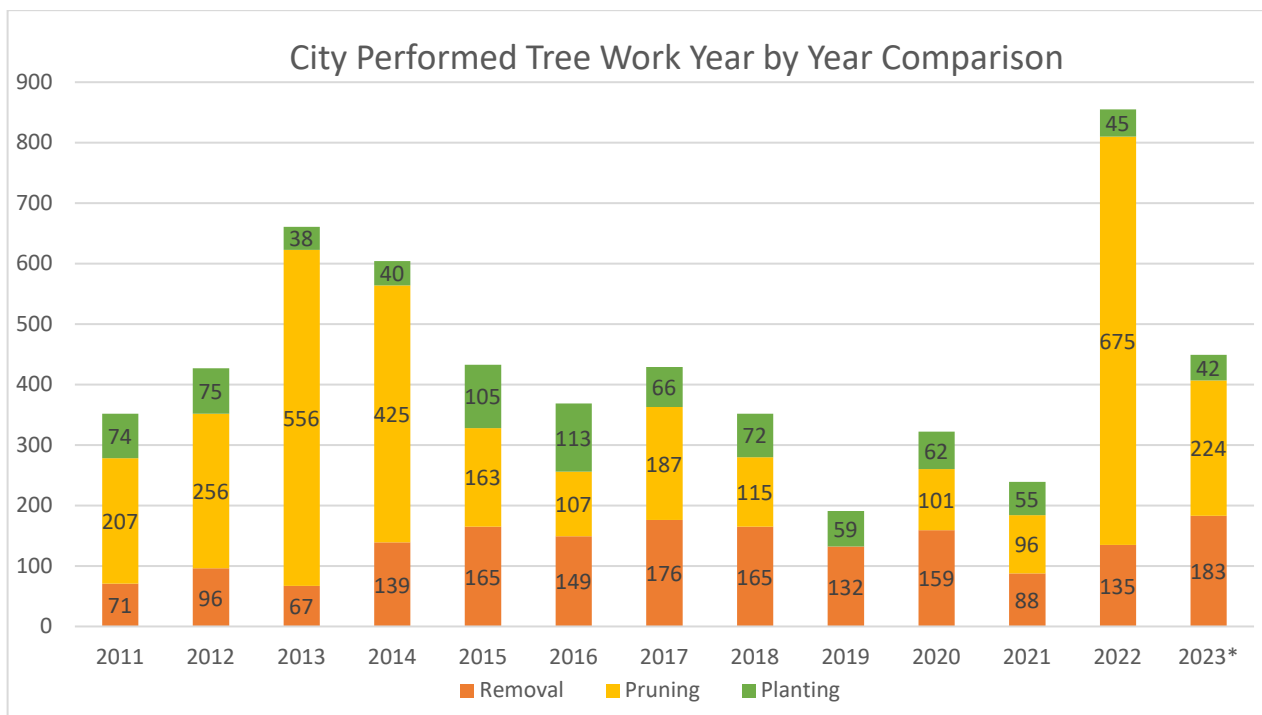
- At the Forest and Beach Commission Special Meeting of September 7, 2023, Commissions and the Urban Forest Master Plan (UFMP) Steering Committee jointly reviewed the draft Community Survey and refined the questions to reach consensus. Survey was completed and launched to the public on September 25<sup>th</sup> and will remain open for 48 days, closing on November 13<sup>th</sup>.
- Status of Davey Resource Group's development of the UFMP:
  - ✓ Tree Canopy and Land Cover Assessment - complete
  - ✓ Urban Forest Resource Analysis (Eco) - complete
  - ✓ Stakeholder Interviews - complete
  - ✓ Operations Review ~94% complete
  - ✓ Draft 1 UFMP ~50% complete
    - Background information and findings from stakeholder interviews summarized
    - Identifying challenges and opportunities
  - ✓ Community Survey – In Progress
    - Live on September 27<sup>th</sup>
    - 90 responses as of 10/3
- The Leadership Carmel Class of 2023 conducted a Ribbon Cutting Ceremony to celebrate completion of their children's nature play facilities project at Forest Hill Park. Improvements included: a log tunnel, braille panel, log clusters, hardwood stump seats emulating a classroom setting under a redwood grove, hawk perch, and owl boxes. Director Harary thanked the Forest and Beach Commission for their vision to add "love" into the park, and the Mayor cut the ribbon.

- ## Permit Information

Historic permitted removals and required planting								
Year	Permitted removals	Removal of upper	Removal of lower	Replanting Required	Replanting of upper	Replanting of lower	Replanting %	Applications processed
2021	204	81	123	135	81	54	66.18%	213
2022	149	82	67	85	48	37	57.05%	155
2023*	265	182	90	201	141	60	75.85%	275
*Year To Date								



## City Forestry, Parks, and Beach Activities



\*Numbers only represent correspondences received via the City's website and do not include live calls, coicemails, drop-in visitors, and emails sent directly to employees from residents, nor return calls and emails from staff.



# CITY OF CARMEL-BY-THE-SEA

## CITY COUNCIL

### Staff Report

November 6, 2023  
CONSENT AGENDA

**TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Nova Romero, City Clerk

**APPROVED BY:** Chip Rerig, City Administrator

**SUBJECT:** September 2023 Check Register Summary

#### RECOMMENDATION:

Approve the check register for September 2023.

#### BACKGROUND/SUMMARY:

The check register is produced from the City's financial system. The report groups the checks by the respective department or function. The check register includes the check number, the name of the vendor, a description of the purchase, the check issue date and the amount of the check.

Per the California Supreme Court's decision in the case of Los Angeles County Board of Supervisors v. Superior Court (Dec. 29, 2016) (2016 WL 7473802), the check register excludes the specific invoice payments for legal services incurred for pending and active investigations, pending and active litigation, as well as recently concluded matters. The Supreme Court has ruled that these specific invoices are protected under attorney-client privilege and need not be disclosed under the Public Records Act.

On the last page of the report, staff have included the contract balance for the respective vendors that were paid in September 2023.

#### FISCAL IMPACT:

The check register summary for September 2023, totals \$803,950.71.

#### PRIOR CITY COUNCIL ACTION:

Council ratified the August 2023 check register at the October 2, 2023, special meeting.

#### ATTACHMENTS:

Attachment 1) September 2023 Check Register

## September 2023 Check Register

Check No.	Vendor/Employee	Transaction Description	Date	Amount
<b>Department: 110 City Council</b>				
52027	Peninsula Messenger LLC	Mail service sorting and delivery	09/07/2023	6,776.00
52063	Peninsula Messenger LLC	Mail service sorting and delivery	09/19/2023	264.00
Total for Department: 110 City Council				7,040.00
<b>Department: 111 City Administration</b>				
51970	AT&T	Telephone service citywide	09/05/2023	2,313.71
51987	Image Sales	Employee ID Badges	09/05/2023	35.13
51989	J 4 Systems	System moderization and resiliency services directed by IT	09/05/2023	1,235.00
52006	SystemsUp LLC	Remote desktop services as directed by IT Manager	09/05/2023	39.00
52011	Verizon Wireless	Cell phone sales and usage	09/05/2023	378.32
52016	Amazon Web Services Inc	Data and cloud storage fees	09/07/2023	929.73
52017	Code Publishing Company	Municipal Code updates:Web, paper and electronic	09/07/2023	517.00
52019	Comcast Business	NonNGEN internet and recurring charges	09/07/2023	743.37
52021	Iron Mountain	Records storage and management services	09/07/2023	298.51
52022	J 4 Systems	System moderization and resiliency services directed by IT	09/07/2023	190.00
52026	Office Depot, Inc.	Office supplies Admin	09/07/2023	375.67
52029	Pitney Bowes Global Fin S	Postage meter lease	09/07/2023	836.55
52032	Alhambra	Water service-City Hall	09/19/2023	177.37
52038	AT&T	Telephone service citywide	09/19/2023	1,046.42
52040	Carmel Pine Cone	Legal noticing	09/19/2023	1,005.00
52043	Comcast Business	NonNGEN internet and recurring charges	09/19/2023	1,387.77
52048	Digital Deployment	Website support agreement:Maint, training, security and updates	09/19/2023	700.00
52052	Hinderliter, De Llamas & Associates	Sales/transactions tax auditing services	09/19/2023	4,755.81
52054	J 4 Systems	System moderization and resiliency services directed by IT-Amend	09/19/2023	2,012.50
52059	Netkiller, Inc.	GWS Enterprise Plus-Google Workspace subscription Year 1 of 3	09/19/2023	22,464.00
52060	Office Depot, Inc.	Office supplies Admin	09/19/2023	234.90
52065	Pitney Bowes Bank Inc Purchase Power	Postage-meter refills	09/19/2023	39.00
52066	Robert Half	Temporary Finance assistance services - Tony Wong	09/19/2023	3,204.29
52068	Same Day Shred	Document shredding services	09/19/2023	75.00
52069	Springbrook Software	Professional services relating to accounting software usage	09/19/2023	189.00
52072	T-Mobile	Monthly cell service, usage and purchases	09/19/2023	1,581.07
52074	US Bank	Partition- Admin office	09/19/2023	800.60
52074	US Bank	IT Subscription - Constant Contact	09/19/2023	81.00
52074	US Bank	HR Subscription - Metrofax	09/19/2023	11.95
52074	US Bank	IT Subscriptions - Microsoft, Freshworks, Zoom, Adobe, Backblaze, Google	09/19/2023	3,288.90
52074	US Bank	IT computer equipment non capital	09/19/2023	65.55
52074	US Bank	IT Subscription - Junction Newtorks	09/19/2023	1,628.10
52075	Verizon Wireless	Cell phone sales and usage	09/19/2023	1,820.75
52078	Xerox Financial Services	Xerox copier leases citywide	09/19/2023	1,452.53
52094	Chavan and Associates, LLC	Financial auditing services	09/28/2023	10,000.00
52096	Comcast	City Hall cable service	09/28/2023	68.71
52097	Corbin Willits System	MOM Financial system monthly fee	09/28/2023	720.79
52100	Hinderliter, De Llamas & Associates	Sales/transactions tax auditing services	09/28/2023	300.00
52101	IAMP Pro Audio/Anthony J. Nocita	Set-up, live production, associated support of city meetings and	09/28/2023	2,480.00
52102	J 4 Systems	System moderization and resiliency services directed by IT-Amend	09/28/2023	1,240.00
52105	Municipal Resource Group, LLC	City Administrator evaluation	09/28/2023	2,081.25
52106	Office Depot, Inc.	Office supplies Admin	09/28/2023	615.70
52108	Quality Print & Copy	Printing service-Business cards,stationary,envelopes	09/28/2023	764.75
52109	Robert Half	Temporary professional services - Accountant	09/28/2023	10,960.00
52110	Softchoice Corporation	SLG EA Microsoft Enterprise agreement/Azure Security upgrade	09/28/2023	522.97
52113	US Bank	HR employee training	09/28/2023	1,250.00
52113	US Bank	Employee appreciation expenses	09/28/2023	266.47
52113	US Bank	Administrative meeting expenses	09/28/2023	834.56
52113	US Bank	NYT Subscription	09/28/2023	40.00
52113	US Bank	City Clerk Dues	09/28/2023	250.00
52113	US Bank	League of Cal Cities membership dues	09/28/2023	660.00
52114	Xerox Financial Services	Xerox copier leases citywide	09/28/2023	839.33
Total for Department: 111 City Administration				89,808.03
<b>Department: 112 City Attorney</b>				
51972	Best Best & Krieger, Attorney At Law	Legal fees:Telecommunications issue, Verizon litigation	09/05/2023	8,820.00
Total for Department: 112 City Attorney				8,820.00
<b>Department: 115 Community Planning &amp; Building</b>				
51981	De Lage Landen Financial	FY 23-24 Financial Services	09/05/2023	414.33
51988	IWORQ	PCLUP - Parcel Upload, Monthly	09/05/2023	500.00
52010	US Bank	MONTEREY BAY ICC TRAINING: JERMEL L. & DUANE D.	09/05/2023	519.94

Total for Department: 115 Community Planning & Bldg	1,434.27
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**Department: 116 Police**

51965	Alhambra	Water service-Police Dept	09/05/2023	209.40
51966	Allied Universal	Beach patrol services	09/05/2023	702.00
51967	Amazon Capitol Services	PD Supplies and Equipment	09/05/2023	30.55
51971	Axon Enterprise, Inc	Taser instructor expense	09/05/2023	990.00
51980	Monterey County Dept of Emerg Communications	NGEN Operations and maintenance Quarter 2 FY 23-24	09/05/2023	5,106.35
51982	Deanna Dickman	Reimburse for VIPS expenses	09/05/2023	190.42
52001	Salinas Valley Pro Squad	PD Uniform and service clothes	09/05/2023	199.92
52002	Same Day Shred	PD-Document shredding services	09/05/2023	45.00
52007	Transunion Risk & Alterna	PD: Monthly fee for information services	09/05/2023	75.00
52010	US Bank	PD Office supplies	09/05/2023	134.71
52010	US Bank	PD Vehicle Maintenance	09/05/2023	931.07
52010	US Bank	PD equipment maintenance	09/05/2023	1,539.89
52015	Allied Universal	Beach patrol services	09/07/2023	351.00
52018	Comcast	PD Cable serices	09/07/2023	352.83
52024	MCCLEOA	2023-24 MCCLEOA Dues	09/07/2023	300.00
52026	Office Depot, Inc.	Office supplies PD	09/07/2023	9.82
52033	Allied Universal	Beach patrol services	09/19/2023	702.00
52034	Amazon Capitol Services	PD Supplies and Equipment	09/19/2023	104.16
52037	ArmorLink	Annual subscription:Firearm management system	09/19/2023	2,400.00
52041	Carmel Towing & Garage	PD Gas and oil expense	09/19/2023	4,553.70
52042	Comcast	PD Cable serices	09/19/2023	41.64
52046	De Lage Landen Financial	PD Copier usage	09/19/2023	161.70
52047	Department of Justice/Accounting Office	PD:Fingerprinting services	09/19/2023	32.00
52053	Isaac Eckel	PALS Renewal Oct 2023 reimbursement	09/19/2023	180.00
52057	Monterey Peninsula Regional SRU	SRU Yearly Contribution FY 2023-24	09/19/2023	5,000.00
52058	Monterey Tire Service Inc	PD-New tire purchase and installation	09/19/2023	658.94
52060	Office Depot, Inc.	Office supplies PD	09/19/2023	57.96
52067	Salinas Valley Pro Squad	PD Uniform and service clothes	09/19/2023	486.09
52070	Summit Uniforms	PD Uniform purchases	09/19/2023	341.25
52071	T2 Systems Canada Inc.	PD:Digital iris services	09/19/2023	75.00
52073	United Public Safety, Inc	Ticketing Platform for PD:Hardware, software, tech support	09/19/2023	1,045.13
52089	Alhambra	Water service-Police Dept	09/28/2023	172.36
52090	Allied Universal	Beach patrol services	09/28/2023	351.00
52091	Attention to Decal	Remove and install new decals for PD	09/28/2023	1,828.85
52096	Comcast	PD Cable serices	09/28/2023	321.54
52098	Department of Justice/Accounting Office	PD:Fingerprinting services	09/28/2023	47.00
52113	US Bank	PD shipping fees	09/28/2023	377.91
52113	US Bank	PD office supplies	09/28/2023	1,683.75
52113	US Bank	PD safety equipment	09/28/2023	316.19
52113	US Bank	PD Point Emblem badges	09/28/2023	442.84

Total for Department: 116 Police	32,548.97
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**Department: 117 Fire**

51979	City Of Monterey	Fire Dept Vehicle repairs	09/05/2023	253,138.07
51980	County of Monterey, Dept of Emerg Communications	Dispatch Service Quarter 2 FY 23-24	09/05/2023	6,114.03
51985	Hi Tech EVS, Inc.	Service fee Hurst Rescue Systems	09/05/2023	748.00
51994	Mission Linen Service	Fire Dept laundry service	09/05/2023	123.62
52032	Alhambra	Water service-Fire Dept	09/19/2023	169.66
52041	Carmel Towing & Garage	Fire Dept. Gas Expense (E15)	09/19/2023	621.46
52056	Mission Linen Service	Fire Dept laundry service	09/19/2023	276.68
52103	Mission Linen Service	Fire Dept laundry service	09/28/2023	123.62

Total for Department: 117 Fire	261,315.14
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**Department: 118 Ambulance**

51975	Bound Tree Medical LLC	Medical supplies	09/05/2023	309.99
51979	City Of Monterey	FY 23-24 Ambulance Administration fee	09/05/2023	7,423.41
52028	Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen/hazardous materials transport service	09/07/2023	90.30
52036	American Supply Company	Janitorial Supplies-Amb Dept	09/19/2023	347.47
52039	Bound Tree Medical LLC	Medical supplies	09/19/2023	6,824.21
52041	Carmel Towing & Garage	Amb Dept. Gas Expense (7166)	09/19/2023	1,034.58
52046	De Lage Landen Financial	Ambulance copier usage	09/19/2023	71.01
52064	Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen/hazardous materials transport service	09/19/2023	70.81
52077	Wittman Enterprises, LLC	Ambulance billing service	09/19/2023	3,987.12
52095	City Of Monterey	FY 23-24 Ambulance overtime reimbursement for staffing by Monter	09/28/2023	3,226.26

Total for Department: 118 Ambulance	23,385.16
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**Department: 119 Public Works**

51964	Ailing House Pest Control	Pest Control	09/05/2023	434.00
51965	Alhambra	Water for Public Works Dept.	09/05/2023	85.91
51968	American Lock & Key	Locksmith and key service for CF-	09/05/2023	1,134.00
51969	Applied Marine Sciences	Microbial source tracking - #401-23/04 8/3/2023	09/05/2023	2,580.00
51978	Cintas Corporation	Uniform Service for PW staff	09/05/2023	162.81

51979	City Of Monterey	Vehicle services.	09/05/2023	521.16
51983	Edges Electrical Group	Electrical supplies, LED lights for City facilities	09/05/2023	1,613.32
51995	Monterey County Housing & Comm Dev	General Encroachment permit-requested by Traffic Safety Committee	09/05/2023	390.00
51997	Office Depot, Inc.	Office Supplies for PW Admin	09/05/2023	463.96
51998	Pacific Coast Trane Controls	Hot water pump parts for boiler 8/4/23 #SRVCE00020294	09/05/2023	1,220.00
51999	Pureserve Building Service	Janitorial services FY 23/24	09/05/2023	21,141.35
52003	Scarborough Lumber & Building	Public Works Streets supplies	09/05/2023	157.44
52004	Signworks Inc	City logo decals for vehicles	09/05/2023	293.63
52008	Uline Inc.	Safety supplies for PW/Forestry	09/05/2023	1,371.71
52009	Universal Staffing Inc	Temporary staffing services	09/05/2023	4,228.75
52010	US Bank	CW- Embroidery	09/05/2023	54.99
52012	West Coast Arborists Inc .	Tree maintenance services as directed by City Forester	09/05/2023	3,326.15
52034	Amazon Capitol Services	Car Week speed bumps - 8/15/23	09/19/2023	991.14
52035	American Lock & Key	Locksmith and key service for CF	09/19/2023	223.96
52044	Cypress Painting & Decorating, Inc.	Painting for City Facilities	09/19/2023	3,980.00
52046	De Lage Landen Financial	Lease for copiers for PW	09/19/2023	205.40
52050	Ewing Irrigation and Landscape Supply	Irrigation Supplies	09/19/2023	130.01
52051	Golden State Portables	Forest Theater events maintenance/cleaning	09/19/2023	1,787.19
52060	Office Depot, Inc.	Office Supplies for PW Admin	09/19/2023	220.24
52113	US Bank	Office Supplies	09/28/2023	17.97
52113	US Bank	Hotel for tree topio training	09/28/2023	345.88
52113	US Bank	Airline for APWA Conf-Javier	09/28/2023	348.00

Total for Department: 119 Public Works	47,428.97
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**Department: 120 Library**

52062	Pacific Grove Self Storage	Storage Unit - Document storage	09/19/2023	353.00
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Total for Department: 120 Library	353.00
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**Department: 121 Community Activities**

52020	Good Roots Events, Inc.	50% for 2023 Farmers' Market & 3rd Thursday events	09/07/2023	20,700.00
52093	Carmel Pine Cone	Community Activities end of year event calendar	09/28/2023	1,350.00
52099	Golden State Portables	Porta potties for Sandcastle Contest 9/15-18/2023	09/28/2023	1,362.03
52113	US Bank	Event supplies, lunch for Homecrafters' jury selection committee	09/28/2023	311.15

Total for Department: 121 Community Activities	23,723.18
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**Department: 122 Economic Revitalization**

52025	Monterey County Convention & Visitors	Current year Jurisdiction Investment Q1 7/1/23-9/30/23	09/07/2023	51,007.50
52030	Sunset Cultural Center Inc.	Operating Grant FY 23-24	09/07/2023	187,500.00

Total for Department: 122 Economic Revitalization	238,507.50
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**Department: 130 Non-Departmental**

52061	Pacific Gas & Electric	Citywide gas & electric services	09/19/2023	13,724.68
52092	Cal-Am Water Company	Water service citywide	09/28/2023	17,802.23
52107	Pacific Gas & Electric	Citywide gas & electric services	09/28/2023	232.14

Total for Department: 130 Non-Departmental	31,759.05
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**Department: 311 Capital Projects**

51974	Blancas Construction Inc	PD Reno 7/24/23 #1042 dispatch wall removal and ceiling tile	09/05/2023	4,085.37
51984	EMC Planning Group, Inc	Coastal Hazard project services	09/05/2023	11,942.30
51993	Margaret Clovis	Phase 2 Report (Historical Eval.) - Sunset Center Cottages, CIP	09/05/2023	1,080.00
52023	Layr 1 Networks Inc	PD Reno:Install outlets in Dispatch area	09/07/2023	1,484.96
52040	Carmel Pine Cone	PW Community Notice 6/27/23 #2325RE43	09/19/2023	292.50
52045	Davey Resource Group, Inc.	CIP:Urban Forest Master Plan Project manager services	09/19/2023	9,327.50
52049	Dudek	Environmental support:MTNP 3 Stream Stability Project	09/19/2023	5,735.00
52055	Jayson Architecture	CIP:Library Master Plan Study	09/19/2023	839.56
52076	Wallace Group	Concrete Streets	09/19/2023	467.50
52104	Monterey County Weekly Classifieds	Paving Project Public Notice 42-072215-00000 8/10/23	09/28/2023	1,212.75
52111	State Water Resources Control Board (SWRCB)	MTNP Drainage Project	09/28/2023	120.00
52112	Ten Over Studio, Inc	FM Reno Project	09/28/2023	1,240.00

Total for Department: 311 Capital Projects	37,827.44
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Grand Total	803,950.71
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Vendor	Contract Amt	Paid thru Aug	Contract Balance
Pen Messenger	\$ 107,730.00	\$ 48,140.00	\$ 59,590.00
City of Monterey *	\$ 2,950,699.00	\$ 491,873.20	\$ 2,458,825.80
Pureserve *	\$ 272,000.00	\$ 64,692.53	\$ 207,307.47
4Leaf Inc.	\$ 179,800.00	\$ 72,884.16	\$ 106,915.84





## CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

November 6, 2023  
CONSENT AGENDA

**TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Robert Harary, P.E, Director of Public Works

**APPROVED BY:** Chip Rerig, City Administrator

**SUBJECT:** Resolution 2023-100, authorizing the City Administrator to execute a Construction Contract with Monterey Peninsula Engineering for the Base Bid plus a 5% contingency, in the total amount of \$1,139,566, for the FY 2021/22 Pavement Rehabilitation Program, including the San Carlos Bicycle Route, Eighth to Thirteenth Avenues, and Sidewalk Improvements Project, and approving a transfer from the CIP Contingency Fund of \$261,566 to complete the Project

### RECOMMENDATION:

Adopt Resolution 2023-100, authorizing the City Administrator to execute a Construction Contract with Monterey Peninsula Engineering for the Base Bid plus a 5% contingency, in the total amount of \$1,139,566, for the FY 2021/22 Pavement Rehabilitation Program, including the San Carlos Bicycle Route, Eighth to Thirteenth Avenues, and Sidewalk Improvements Project, and approving a transfer from the CIP Contingency Fund of \$261,566 to complete the Project.

### BACKGROUND/SUMMARY:

#### Project History

In June 2019, the City Council adopted the Fiscal Year (FY) 2019/20 Capital Improvement Program (CIP) which included the following Projects, with initial budgets as indicated:

- Citywide Multiyear Paving Project, \$918,272 (included \$361,224 from external funds: Measure X, Gas Tax, and SB 1)
- San Carlos Bike Route, Eighth to Thirteenth Avenues, \$21,237 (design only)
- San Carlos Median Islands, \$34,000 (included \$17,000 in donations)
- The combined total Project budget was \$973,509 when initially funded. It should be noted, however, that the budget for the proposed work was developed over four years ago, and inflation and the construction bidding climate have changed significantly since that time as discussed in this report.

In September 2019, Council awarded a Professional Services Agreement to Neill Engineers Corp., for a fee of \$126,800, for engineering and design of the Project. In January 2020, the design was 90% complete, and the Project was presented at Public Workshop #1 at Sunset Center to solicit feedback on

the San Carlos Median Islands landscaping concepts.

In March 2020, the Project was put on hold during the Covid-19 Pandemic for two years. During the Pandemic, there was no funding for capital projects for FY 2020/21.

In May 2021, Council adopted Resolution 2021-018, approving a list of streets for the FY 2021/22 Annual Paving Project, as required to qualify for SB 1, the Road Repair and Accountability Act. The list of streets selected was substantially the same as those streets selected for the FY 2019/20 Paving Project with adjustments made during the design and public outreach process.

In June 2021, Council adopted the CIP for FY 2021/22 with a remaining budget of \$962,230 for this Project, with street selections as modified in May 2021, and with additional funding from the Transportation Safety Fund and Regional Transportation Improvement Program for sidewalk repairs. Since then, the Project was re-named the "FY 2021/22 Pavement Rehabilitation Project." In late FY 2021/22, the Project design resumed.

No further changes to the Project scope and budget were made with the FY 2022/23 CIP. However, due to numerous public comments opposing the San Carlos Median Islands received at the Forest and Beach Commission meeting in November 2022, and at Public Workshop #2 in January 2023, Council removed the San Carlos Median Islands from the Project at the March 2023 meeting.

In June 2023, Council adopted Resolution 2023-067 for the FY 2023/24 CIP, approving the carry-over of 25 prior FY CIP projects, including this Project with a remaining budget of \$878,000, and approving a new CIP Contingency Fund with an initial Budget of \$500,000 to cover anticipated higher costs.

## **Project Development and Bidding Results**

Upon removal of the San Carlos Median Islands, the Project design plans and technical specifications were completed by Neill Engineers. Specifically, the scope of work included in the final bidding documents and covered under the Base Bid - Basis of Award (the portion of the Project to advance to construction) includes:

-

### Asphalt Overlay Streets

- Junipero Street & Camino Del Monte, between First and Second Avenues
- Junipero Street, between Third and Fourth Avenues
- Santa Fe Street, between Fifth and Eighth Avenues

### Micro –Surfacing Streets

- Junipero Street, between Fourth and Ocean Avenues
- San Carlos Street between Eighth and Thirteenth Avenues

Micro-surfacing is a protective seal coat which extends the life of pavement. It is a thin, tough layer of asphalt emulsion blended with finely-crushed stone for traction. There is no perceptible difference in tire noise as compared to asphalt overlay treatments. While new to Carmel, micro-surfacing has been successfully used in other Monterey Peninsula municipalities for many years. As confirmed in the bids, it is more cost-effective to renew the road by micro-surfacing versus asphalt overlays, but it should not be applied when road surfacing has further deteriorated.

Roadway improvements will include: patch paving, removing markings, crack sealing, conform grinding, placing a 2" or 2-1/2" thick asphalt overlay or applying micro-surfacing, reconstructing several ADA ramps, and restoring pavement markings, berms, and swales.

## San Carlos Bike Route

At the March 2023 meeting, Council directed staff to proceed with the San Carlos Bike Route as depicted in the City's General Plan Circulation Element, despite some community opposition. Council requested that no new roadside signs be installed along the bike route, but pavement markings, such as bicycle sharrows, would be acceptable.

However, based on further review of FHWA, Caltrans, and other design guidelines by the engineering consultant, and with consultation with the Police Chief and Public Works Director, it is strongly recommended that only one set of signs (rather than signs on each side of the road in each intermittent block) be installed in each direction – one near Eighth Avenue for southbound travel, and one near Thirteenth Avenue for northbound travel. Each would include a “Share the Road” sign and a bicycle legend sign, both mounted together on a wooden post. To install the City’s first official Bike Route on a newly-resurfaced street without any such signs would be contrary to minimum safety standards.

### Sidewalk Repairs

- Dolores Street west side, between Fifth and Sixth Avenues
- Mission Street west side, between Fourth and Fifth Avenues
- Mission Street west side, between Fifth and Sixth Avenues
- San Carlos Street west side, north of Fourth Avenue

Sidewalk repairs will include: removing existing brick, concrete, asphalt, and paver sidewalk segments, regrading and compacting subgrade, installing redwood headers and new permeable pavers or asphalt sidewalk, adjusting utility boxes to grade, and reconstructing adjacent curbs, cobblestone curbs, gutters, and berms where necessary.

Contract documents were initially prepared by one of the City’s Project Management consultants, 4 Leaf, and then finalized by the City’s in-house Project Manager. A CEQA determination of exemption was provided by the City’s Environmental Programs Manager. Once the final design was approved for construction, the Project was extensively advertised for construction bids in August. Notices were published in the Carmel Pine Cone and Monterey County Weekly, Central Coast Builders Association, and posted on the City’s and other public purchasing websites. In addition, courtesy calls and emails were made to 40 contractors that specialize in civil construction, asphalt restoration, and concrete construction. Three prime contractors attended the Pre-Bid meeting.

Despite best outreach efforts, only two bid proposals were received at the Public Bid Opening held on September 12, 2023. While all bids are much appreciated, receiving only two bids appears to becoming the norm in this current, unfavorable bidding climate, likely due to construction labor shortages and busy contractors. In years past, multiple, competitive bids were received for our larger construction projects.

This Bid Opening yielded the following results:

	Engineer's Estimate	MPE	Coastal Paving & Excavation
Description	Total	Total	Total
<b>Base Bid - Basis of Award</b>	<b>\$945,000</b>	<b>\$1,085,301</b>	<b>\$1,145,145</b>
Bid Additive No. 1 San Antonio - Fourth to Ocean Avenues	\$135,000	\$175,136	\$210,440
Bid Additive No. 2 San Antonio - Ocean to Eighth	\$195,000	\$223,210	\$204,895
Bid Additive No. 3 Monte Verde - Fourth to Ocean	\$165,000	\$207,863	\$207,465
Bid Additive No. 4 Torres - Second to Fourth	\$105,000	\$153,110	\$143,890
<b>Grand Total</b>	<b>\$1,545,000</b>	<b>\$1,844,620</b>	<b>\$1,911,835</b>

The low Base Bid of \$1,085,301, submitted by Monterey Peninsula Engineering (MPE), was responsive and responsible, but 15% above the Engineer's cost estimate.

Based in Marina, MPE has been in business since 1980 and specialize in grading, paving, site work, and installation of utilities. MPE previously completed the FY 2017/18 Paving Project for Carmel, and in the past few years completed similar projects including Street Rehabilitations in Pacific Grove, the Main Street Streetscape in Salinas, and Citywide ADA Ramps and Street Reconstructions in Monterey.

As noted above, the City has not been getting many bidders nor favorable bids this year. Over the past few months, the City received two bids for the City Hall retaining wall repair project, with the low bid 20% over the estimate. Next, only one bid was received for the MTNP well decommissioning and tank and pump house removal project. That bid was much higher than the estimate; however, the estimate was determined by be inaccurate for the hazardous materials remediation. The next bids were for the Sunset Center exterior painting, cottage window repairs, Harrison Memorial Library exterior and interior painting, and City Hall roof replacement. Again, only two bids were received with the low bid 88% above the estimate. Therefore, the subject paving project is proving, once again, that we are not receiving competitive bids, and bid prices have escalated above expectations.

## Bid Additives

The bid proposals included four Bid Additives. The additives were for asphalt overlays along four additional streets as listed below. While Council may award any of these Bid Additives if additional funding is identified, these additive bid prices were not favorable, and these streets, while also in need of resurfacing, are not at the same level of distress as the streets included in the Base Bid. See discussion below under "Proposed Approach for Current and Future Street Paving Projects."

1. San Antonio Avenue, between Fourth and Ocean Avenues
2. San Antonio Avenue, between Ocean and Eighth Avenues
3. Monte Verde Street, between Fourth and Ocean Avenues
4. Torres Street, between Second and Fourth Avenues

While a 10% contingency is normally recommended for construction contracts, staff will be as diligent and judicious as possible to try to keep the final cost within a 5% contingency. Should differing site conditions warrant an urgent field change, this contingency would be immediately available. Any funds remaining would be returned to the CIP fund balance. However, if additional funding is needed to complete the Project, staff would seek Council authorization at such time.

Construction will take approximately three months from issuance of the Notice to Proceed, but will be dependent on weather conditions. All streets that will be affected by this Project will remain open to local traffic during construction; however, traffic control plans will be in place, and motorists may experience temporary, local detours.

### **Proposed Approach for Current and Future Street Paving Projects**

Because of the current unfavorable bidding climate, staff recommends that the project designs, which constitute a fraction of the total project costs, continue to develop "Shovel Ready" project plans, but that construction will need to be throttled back. Thus, should a potential bond or ballot measure be successful, or if grant opportunities are identified, the City would be able to proceed into construction and seek to get caught up with roadway repairs. The following further outlines this approach based on year-by-year roadway projects in the CIP past, present, and upcoming.

**FY 2021/22:** Although the four Bid Additives are not proposed for award at this time, these streets are still in need of resurfacing, and the design plans are "Shovel Ready." Based on MPE's bids, approximately \$759,000 is needed to complete the FY 2021/22 Project.

**FY 2022/23:** The Concrete Streets Repair project was initially funded with \$1,005,000. As noted in the September 2023 report when Amendment No. 1 to the Professional Services Agreement with BKF Engineers was approved by Council, and factoring in the Project Management fees for Wallace Group, the remaining budget for construction is \$698,891. Similar to the FY 2021/22 Project, the Concrete Streets project will also be broken down into a Base Bid and Bid Additives. Because of the increased scope of work required along lower Ocean Avenue, as well as considering current bid prices, the preliminary cost estimate for the overall Concrete Street Repairs has increased to \$2M; thus, another \$1.3M may be needed to complete that project.

**FY 2023/24:** This Annual Paving Project was initially funded with \$1,096,000. At the November meeting, Council is being requested to approve an Amendment to the Professional Services Agreement with Wallace Group to include \$177,664 for design of 4 street overlays, 21 streets for slurry treatments, and 5 sidewalk repairs, leaving \$918,336 for construction. Since the design is ready to start and is only a fraction of the total project cost, it is recommended that this work proceeds, and that the designs be "Shovel Ready" when sufficient construction funding is available. Staff is also proposing that the FY 23/24 Paving Project incorporate the 4 Bid Additives not awarded with this FY 2021/22 Paving Project, plus Bid Additives not awarded with the FY 2022/23 Concrete Street Project. This would include a ballpark backlog cost of \$2M in addition to the cost of the FY 2023/24 project.

**FY 2024/25 and FY 2025/26:** With an additional \$2M in funding for prior year paving projects in the FY 24/25 and/or FY 2025/26 CIPs, and coupled with the \$918,336 that will be available for construction of the FY 2023/24 project, the City should be able to "Catch Up" with prior year paving projects. In the meantime, Staff will consult with TAMC on the use of additional external funding to help pay for prior year fund allocations for projects which had much higher than anticipated bids and ongoing "Maintenance of Effort" funding required from City funding sources. Regardless of available funding and timing to catch up on construction projects, no further designs are recommended until approximately FY 2026/27.

### **FISCAL IMPACT:**

The FY 2023/24 CIP included a remaining carry-over budget of \$878,000 for this Project. Costs for design services were absorbed in prior year budgets. The construction cost to MPE for the Base Bid of \$1,085,301, plus a 5% contingency of \$54,265, is \$1,139,566. Therefore, an additional budget of \$261,566 (\$1,139,566 - \$878,000) is needed to award this contract.

The FY 2023/24 CIP included a Contingency Fund account, with a budget of \$500,000, to pay for carry-over and future capital improvement projects that have become costlier to execute due to inflation and other factors. To award the contract for the MTNP Water Well Decommissioning and Tank and Pump House Removal Project, \$42,378 was previously transferred from the Contingency Fund (Resolution 2023-077).

With an allocation of \$261,566 to award the subject contract, the CIP Contingency Fund balance would be further reduced to \$196,056. Based on the current bidding climate, and in light of a number of upcoming construction contracts, an increase in the CIP Contingency Fund may be requested in the FY 2023/24 Mid-Year Budget and/or CIP for FY 2024/25.

Project funding, plus the Contingency Fund, are both available in CIP Account Number 301-311-00-43008.

#### **PRIOR CITY COUNCIL ACTION:**

Please refer to Project History in the Background Section of this report.

#### **ATTACHMENTS:**

Attachment 1) Resolution 2023-100

**CITY OF CARMEL-BY-THE-SEA  
CITY COUNCIL**

**RESOLUTION NO. 2023-100**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA  
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONSTRUCTION CONTRACT  
WITH MONTEREY PENINSULA ENGINEERING IN THE AMOUNT, WITH 5% CONTINGENCY,  
OF \$1,139,566, FOR THE FISCAL YEAR 2021/22 PAVEMENT REHABILITATION PROGRAM,  
SAN CARLOS BICYCLE ROUTE, AND SIDEWALK IMPROVEMENT PROJECTS**

WHEREAS, in June 2019, the City Council adopted the Fiscal Year (FY) 2019/20 Capital Improvement Program (CIP) which included the Citywide Multiyear Paving Project, San Carlos Bike Route, Eighth to Thirteenth Avenues, and San Carlos Median Islands Projects, with an initial combined budget of \$973,509; and

WHEREAS, in June 2021, Council adopted the FY 2021/22 CIP with a revised budget of \$962,230 for this Project, including additional funding for sidewalk repairs, and street selections as modified in May 2021, and, at that time, the Project was re-named the FY 2021/22 Pavement Rehabilitation Project; and

WHEREAS, in June 2023, Council adopted Resolution 2023-067 for the FY 2023/24 CIP, approving the carry-over of 25 prior FY CIP projects, including this Project with a remaining budget of \$878,000, and a CIP Contingency Fund with an initial Budget of \$500,000; and

WHEREAS, in August 2023, the final design was completed for asphalt overlays along portions of Junipero Street and Santa Fe Street, micro-surfacing treatments along portions of Junipero Street and San Carlos Street, bicycle route improvements along San Carlos Street between Eighth and Thirteenth Avenues, and sidewalk repairs in four downtown locations, and the Project was approved for construction; and

WHEREAS, the Project was extensively advertised for construction bids, and two bid proposal were received at the Public Bid Opening held on September 12, 2023; and

WHEREAS, the low Base Bid of \$1,085,301, submitted by Monterey Peninsula Engineering, was responsive and responsible, but four Bid Additives included in the bid proposal were not favorable, and resurfacing at these locations should be deferred; and

WHEREAS, the deferred Bid Additives for this FY 2021/22 Paving Project, coupled with anticipated cost overruns with the separate FY 2022/23 Concrete Street Repairs Projects, and upcoming overlays, slurry treatments, and additional sidewalk repairs in the separate FY 2023/24 Paving Project, will result in a backlog of "Shovel-Ready" projects; thus, additional construction funding should be programmed over the next fiscal year(s) to "Catch Up" on the backlog; and

WHEREAS, the total cost of the Base Bid plus 5% contingency of \$1,139,566, less the remaining Project balance of \$878,000, requires the transfer of \$261,566 from the FY 2023/24 CIP Contingency Fund to fully fund this construction contract.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:**

Authorize the City Administrator to execute the construction contract with Monterey Peninsula Engineering in the total amount, with 5% contingency, of \$1,139,566; and

Authorize the transfer of \$261,566 from the CIP Contingency Fund to cover the cost of this Project's construction contract.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 6th day of November, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

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Dave Potter  
Mayor

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Nova Romero, MMC  
City Clerk





## CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

November 6, 2023  
CONSENT AGENDA

**TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Robert Harary, P.E, Director of Public Works

**APPROVED BY:** Chip Rerig, City Administrator

**SUBJECT:** Resolution 2023-101, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Wallace Group for Project Management and Design Services for two capital improvement projects for a not-to-exceed fee of \$241,258

### RECOMMENDATION:

Adopt Resolution 2023-101, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Wallace Group for Project Management and Design Services for two capital improvement projects for a not-to-exceed fee of \$241,258.

### BACKGROUND/SUMMARY:

At the June 2022 meeting, Council adopted Resolution 2022-048 approving the carry-over of FY 2021/22 Projects, including the MTNP Well Decommissioning and Tank and Pump House Removal Project and Wayfinding Signs, plus 25 new FY 2022/23 Capital Improvement Projects, including the Citywide Drainage Repairs Project and Concrete Streets Repair Project.

In July 2022, Council adopted Resolution 2022-058 awarding a Professional Services Agreement with Wallace Group (WG) for Project Management Services for delivery of four Capital Improvement Projects, listed below, for a not-to-exceed fee of \$192,775. WG was selected by an evaluation committee as best qualified to implement the City's civil engineering-oriented, capital improvement projects.

Since July 2022, the four projects assigned to WG progressed as follows:

- 1. MTNP Well Decommissioning and Tank and Pump House Removal Project.** WG prepared the design and construction bidding documents and coordinated the environmental reviews. The City's in-house Project Manager took over the Project during the bidding and construction phases. The Project was fully implemented and is currently being closed out. WG was under budget by \$24,383.
- 2. Wayfinding Signs.** This Project was cancelled. WG was under budget by \$12,923 at the time of cancellation.

**3. Citywide Drainage Repairs Project.** WG oversaw the 2023 Storm Drain Master Plan Update prepared by Schaaf and Wheeler. The Project has since been taken over by the City's Project Manager, and the design of the first four, high priority drainage repair projects is currently 30% complete by Neill Engineers. The budget remaining in the Agreement with Wallace at the time of the transfer was \$44,938.

**4. Concrete Street Repairs.** WG has been managing the Project design by BKF Engineers. The design is nearly 95% complete, and required additional design work by BKF was approved by Council at the September 2023 meeting. WG will continue to manage the Project through design completion, as well as the public bidding and construction phases. The remaining budget of \$48,115 appears adequate for WG to complete the project.

In June 2023, Council adopted Resolution 2023-067 approving 25 carry-over Capital Improvement Projects, including the Concrete Street Repairs, plus 16 additional FY 2023/24 Capital Improvement Projects, including the Coastal Infrastructure Repairs Project, with an initial budget of \$250,000 and the FY 2023/24 Paving Project, with an initial budget of \$1,096,000. Amendment No. 1 was negotiated with WG to perform these two new projects, as outlined below.

**5. Coastal Infrastructure Repairs.** Based on the Shoreline Condition Assessment prepared under the Coastal Engineering Study Project, Wallace Group will develop a Request for Proposals to select a third-party design consultant to begin the long-term repairs of the Carmel Beach stairways, revetments, and sea walls. WG will prepare a professional services agreement with the selected consultant, and manage the consultant's services. The selected consultant will prepare cost estimates for all damaged infrastructure identified in the Shoreline Condition Assessment, prioritize and phase subsequent repair packages, and design the repairs for the 2 or 3 most critical wooden beach access stairs. The fee for these services is \$63,594 and is estimated to be completed in 9 months.

**6. FY 2023/24 Paving Project.** Wallace Group will provide field surveying, utility coordination, and prepare design plans, technical specifications, and cost estimates for 4 streets to be paved with an asphalt overlay, 21 streets for slurry seal treatments, and 5 sidewalk repairs. Bidding and construction of these improvements are not yet fully funded and will be scheduled upon completion of the design. The fee for these services is \$177,664 and is estimated to be completed in 10 months.

## **FISCAL IMPACT:**

Project Management and Design Services for the two new Capital Improvement Projects included in Amendment No. 1 will be charged to CIP Account Number 301-311-00-43008. Sufficient funding is available for the previously-assigned project and two new projects proposed under this Amendment.

The net total amount of the Agreement plus Amendment No. 1 with Wallace Group is \$351, 789 as summarized below:

	<b>Projects</b>	<b>Fee</b>
Agreement	MTNP Well, Tank, Pump House	\$48,184
	Wayfinding Signs	18,414
	Drainage Repairs	58,827
	Concrete Street Repairs	67,350
	Unused Budget, Projects 1-3	-82,244
Amendment No. 1	Coastal Infrastructure Repairs	63,594
	FY 23/24 Paving Project	177,664
	<b>Total Authorization Not-to-Exceed</b>	<b>\$351,789</b>

As demonstrated by recent bid results, the FY 2022/23 and/or FY 2023/24 budgets for certain capital improvement projects may already be low due to continuing cost escalation and inflation for consultant fees, construction labor shortages, materials supply, transportation, and the unfavorable bidding climate. Therefore, some projects may be scaled back to fit the available budget, while others will proceed as intended, with the caveat that additional funds may be needed at the time that construction contracts are awarded. A Contingency Budget was established in the FY 2023/24 Capital Improvement Program to cover such costs. An increase in Contingency Budget may be considered for the FY 2023/24 Mid-Year Budget.

#### **PRIOR CITY COUNCIL ACTION:**

In June 2022, Council adopted Resolution 2022-048 approving the carry-over of FY 2021/22 Projects, plus 25 new FY 2022/23 Capital Improvement Projects.

In July 2022, Council adopted Resolution 2022-058 awarding a Professional Services Agreement with WG for Project Management Services for delivery of four, civil engineering-oriented Capital Improvement Projects, for a fee of \$192,775.

In June 2023, Council adopted Resolution 2023-067 approving 25 carry-over Capital Improvement Projects, including the Concrete Street Repairs, plus 16 additional FY 2023/24 Capital Improvement Projects, including the Coastal Infrastructure Repairs Project, and the FY 2023/24 Paving Project.

#### **ATTACHMENTS:**

Attachment 1) Resolution 2023-101

**CITY OF CARMEL-BY-THE-SEA  
CITY COUNCIL**

**RESOLUTION NO. 2023-101**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WALLACE GROUP FOR PROJECT MANAGEMENT AND DESIGN SERVICES FOR TWO CAPITAL IMPROVEMENT PROJECTS, FOR A NOT-TO-EXCEED FEE OF \$241,258**

WHEREAS, in June 2022, the City Council adopted Resolution 2022-048 approving the carry-over of Fiscal Year (FY) 2021/22 Projects, including the MTNP Well Decommissioning and Tank and Pump House Removal Project and Wayfinding Signs, plus 25 new FY 2022/23 Capital Improvement Projects, including the Citywide Drainage Repairs and Concrete Street Repairs; and

WHEREAS, in July 2022, Council adopted Resolution 2022-058 awarding a Professional Services Agreement with Wallace Group for Project Management Services for delivery of these four Capital Improvement Projects, for a not-to-exceed fee of \$192,775; and

WHEREAS, In June 2023, Council adopted Resolution 2023-067 approving 25 carry-over Projects, including Concrete Street Repairs, plus 16 additional FY 2023/24 Capital Improvement Projects, including the Coastal Infrastructure Repairs Project and FY 2023/24 Paving Project; and

WHEREAS, Amendment No. 1 to the Professional Services Agreement was negotiated with Wallace Group to provide additional project management and design services for these two new FY 2023/24 projects for a not-to-exceed fee of \$241,258; and

WHEREAS, sufficient funding is available for these additional services in the Capital Projects fund account.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:**

Authorize the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Wallace Group for Project Management and Design Services for two Capital Improvement Projects for a not-to-exceed fee of \$241,258.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 6th day of November, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

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Dave Potter, Mayor

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Nova Romero, MMC, City Clerk



## CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

November 6, 2023  
CONSENT AGENDA

<b>TO:</b>	Honorable Mayor and City Council Members
<b>SUBMITTED BY:</b>	Nova Romero, City Clerk
<b>APPROVED BY:</b>	Chip Rerig, City Administrator
<b>SUBJECT:</b>	Resolution 2023-102, authorizing a Free Use Day of the Sunset Center Theater and Lobby for the Carmel Public Library Foundation 12th Annual Fundraiser Benefit

### RECOMMENDATION:

Adopt Resolution 2023-102, authorizing a Free Use Day of the Sunset Center Theater and Lobby for the Carmel Public Library Foundation 12th Annual Fundraiser Benefit.

### BACKGROUND/SUMMARY:

The 2017 Agreement between the City and Sunset Cultural Center, Inc. (SCC) provides that the City shall have the right to use the theater and lobby for up to twelve (12) full days each fiscal year without charge, as long as the spaces have not already been committed to rental customers by SCC.

The Carmel Public Library Foundation (CPLF), a non-profit organization, is requesting one of the City's free use days of the theater and lobby. CPLF plans to hold its 12th annual fundraising benefit, on Tuesday, April 23, 2024, at the Sunset Center Theater. Granting the Carmel Public Library Foundation one of the Sunset Center free use days will result in significant savings in facility use fees. Proceeds from the evening will benefit CPLF, whose mission is *"to fund the Carmel Public Library, keep the doors open, and maintain the library's preeminence as a steward and cherished cultural institution on the Central Coast of California."* The request letter from CPLF is included as **Attachment 2**.

The Carmel Public Library Foundation has tentatively booked the theater and lobby for the requested date and will confirm with Sunset Center should the Council authorize the free use day.

### FISCAL IMPACT:

Proceeds from the event will be used to support of the Harrison Memorial Library.

### PRIOR CITY COUNCIL ACTION:

Council has granted the CPLF free use days of the Sunset Center for past fundraising events that benefit

the Carmel Public Library.

## **ATTACHMENTS:**

Attachment 1) Resolution 2023-102

Attachment 2) Letter from Carmel Public Library Foundation

**CITY OF CARMEL-BY-THE-SEA  
CITY COUNCIL**

**RESOLUTION NO. 2023-102**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA  
AUTHORIZING A FREE USE DAY OF THE SUNSET CENTER THEATER AND LOBBY FOR  
THE CARMEL PUBLIC LIBRARY FOUNDATION 12<sup>TH</sup> ANNUAL FUNDRAISER BENEFIT**

WHEREAS, the City's Amended and Restated Lease Agreement with Sunset Center Cultural Center (SCC), adopted by the City Council on June 6, 2017, stipulates that the City shall have the right to use the Sunset Center theater, lobby and dressing rooms for up to twelve (12) full days (designated in the Lease Agreement as "Free Theater Days") each fiscal year without charge; and

WHEREAS, the Carmel Public Library Foundation is requesting use of the Sunset Cultural Center through the City's Free Theater Days for their annual fundraiser benefit on Tuesday, April 23, 2024; and

WHEREAS, the proceeds generated from the benefit will fund the Carmel Public Library, to keep the doors open and maintain the library's preeminence as a steward and cherished cultural institution on the Central Coast; and

WHEREAS, granting the Carmel Public Library Foundation one of the Sunset Center Free Theater Days will result in significant savings in facility use fees for this organization.

**NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF  
CARMEL-BY-THE-SEA DOES HEREBY:**

Authorize the Carmel Public Library Foundation to utilize one of the City's Sunset Center Free Theater Days for their annual spring benefit in April 2024.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA  
this 6th day of November, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

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Dave Potter  
Mayor

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Nova Romero, MMC  
City Clerk



September 19, 2023

CARMEL PUBLIC  
LIBRARY FOUNDATION

Chip Rerig Administrator &  
City Council  
Carmel-by-the-Sea City Hall  
P.O. Box CC  
Carmel, CA 93921

Dear Mr. Rerig:

The Carmel Public Library Foundation respectfully requests consideration of our request to be granted one of the City of Carmel's "free use days" at the Sunset Center Theater. We plan to hold our 12<sup>th</sup> annual fundraising benefit this spring: **Tuesday, April 23, 2024.**

Set in the beautiful Sunset Center Theater, our annual fundraising benefits highlight national renowned authors, historians and scholars. Proceeds from the evening will benefit the Carmel Public Library Foundation whose mission is to fund the Carmel Public Library, to keep the doors open and to maintain the library's preeminence as a steward and cherished cultural institution on the Central Coast of California. Tickets to the program are typically \$75 and include book sale and signing and a wine reception.

Thank you for your consideration of our request. We hope to make this a successful and profitable event furthering our mission to fund the library. Please let me know if you require any additional information or documentation.

Sincerely,

*Alexandra Fallon*

Alexandra Fallon  
Executive Director

Cc:

Nova Romero, City Clerk  
Ashlee Wright, Library Director  
Marci Meaux, CPLF President  
John Krisher, Library Trustee President  
Sasha Swift, Sunset Center







# CITY OF CARMEL-BY-THE-SEA

## CITY COUNCIL

### Staff Report

November 6, 2023  
CONSENT AGENDA

<b>TO:</b>	Honorable Mayor and City Council Members
<b>SUBMITTED BY:</b>	Marnie R. Waffle, AICP, Principal Planner
<b>APPROVED BY:</b>	Chip Rerig, City Administrator
<b>SUBJECT:</b>	Resolution 2023-104, authorizing application for, and receipt of, State of California Regional Early Action Program (REAP 2.0) Planning Grant Program funds

#### RECOMMENDATION:

Adopt Resolution 2023-104, authorizing application for, and receipt of, State of California Regional Early Action Planning 2.0 (REAP 2.0) Grant Program funds.

#### BACKGROUND/SUMMARY:

On June 29, 2021, Governor Newsom signed the Budget Act of Fiscal Year 2021-2022 which established the Regional Early Action Planning Grants Program of 2021 (REAP 2.0) which allocated \$600 million in one-time funds to accelerate infill housing development, affirmatively further fair housing, and reduce VMT. A portion of REAP 2.0 funds (\$8,625,000) have been allocated to the Association of Monterey Bay Area Governments (AMBAG).

The REAP 2.0 program was established through AB 140 (July 2021) for transformative and innovative projects that implement a region's Sustainable Communities Strategy (SCS) and help achieve the objectives of more housing and transportation options that reduce reliance on cars. REAP 2.0 builds on actions completed through the REAP 1 grant program but expands the focus by integrating housing and reduced vehicle miles traveled (VMT) and by allowing for broader planning and implementation investments, including infrastructure investments supporting housing development. This includes accelerating housing production and facilitating compliance with the 6th Cycle of the housing element.

The REAP 2.0 Program Framework includes three core components:

1. Regional Competitive Grant Program
2. Local Suballocation Grant Program
3. AMBAG SCS Implementation, Technical Assistance, REAP 2.0 Program Development and Administration

The City of Carmel-by-the-Sea has been awarded an \$85,000 REAP 2.0 Local Suballocation Grant. Note that a local match is not required. The project description is as follows.

*The City of Carmel-by-the-Sea will pursue the creation and adoption of Objective Design and Development Standards (ODDS) to reduce governmental constraints presently limiting the production of affordable housing. Once adopted, the City's ODDS will be used to review and approve housing projects with at least 20% affordable units (units for very-low, low, and moderate-income households) on sites identified within the City's draft 2023-2031 6th Cycle Housing Element. The City's expectation, and desired intent, is that having ODDS in place will incentivize and accelerate the construction of multi-family affordable housing projects in the City's downtown zones, including the Central Commercial (CC), Service Commercial (SC), Residential & Limited Commercial (RC), and Multifamily Residential (R-4), which all fall within the Potential Opportunity Area identified by Moving Forward Monterey Bay 2045.*

*The adoption of ODDS would eliminate a governmental constraint identified in the draft 2023-2031 6th Cycle Housing Element, as the City's existing Design Guidelines contain subjective principles that require discretion be applied by City Planning staff and the City's governing bodies (Historic Resources Board, Planning Commission, and City Council). The subjectivity of the existing Design Guidelines is believed to have a stifling effect on the development of higher-density affordable housing; the specificity and non-discretionary nature of ODDS will offer assurances to housing developers working with limited funds. Carmel's ODDS will be developed with community input solicited via an equitable stakeholder outreach effort and with the assistance of a qualified consultant. Following adoption of the ODDS by the City Council, City staff will pursue an education and outreach program and will also utilize online resources for dissemination of information. The City will amend its zoning ordinance and Local Coastal Plan as applicable.*

*The adoption of ODDS in Carmel-by-the-Sea will result in streamlined, expedited permitting for qualifying projects. This non-discretionary permitting process will incentivize infill housing development and increased density in the downtown zones, where residents enjoy reliable bus transit service (located within a half-mile of all possible project sites). Increased density and availability of affordable housing/housing options will subsequently result in a reduction of VMT as fewer local workers presently commuting long distances from elsewhere in Monterey County and surrounding counties may instead opt to live locally, enjoying access to reliable public transit as needed. The City's present jobs-worker imbalance requires remediation, and the City views ODDS as a solution-oriented action that will help with problematic commute patterns negatively affecting the entire Central Coast region by creating more housing near where people work. Additionally, the implementation of ODDS and the subsequent increase in housing development will reduce existing disparities in housing opportunity and affordability and improve racial and ethnic diversity within the City. The City's efforts to promote integrated and balanced living patterns are fully in line with the State's "Affirmatively Further Fair Housing" goals.*

The project timeline is as follows:

- December 2023 - February 2024: Execute grant agreement
- June 30, 2024: Deadline to encumber REAP 2.0 funds
- March 31, 2026: All REAP 2.0 projects and activities must be completed; final activity reports and

project invoices submitted to AMBAG

#### **FISCAL IMPACT:**

The City is eligible to receive up to \$85,000 in planning grants under the State of California Regional Early Action Planning 2.0 (REAP 2.0) Grant Program to complete the projects outlined in the grant application. If the Council adopts the Resolution, a budget adjustment in the amount of \$85,000 would be made following approval of the grant application.

#### **PRIOR CITY COUNCIL ACTION:**

On November 5, 2019, the City Council adopted Resolution 2019-081 authorizing the application for and receipt of SB 2 Planning Grants Program (SB2 PGP) Funds in the amount of \$165,000. On June 16, 2020, the City Council adopted Resolution 2020-039 authorizing the application for and receipt of Local Early Action Program (LEAP) Funds in the amount of \$65,000. On October 6, 2020, the City Council adopted Resolution 2020-069 authorizing the application for and receipt of Regional Early Action Planning (REAP) Funds in the amount of \$65,000. The REAP 2.0 grant funding would supplement these efforts.

#### **ATTACHMENTS:**

Attachment 1) Resolution 2023-104

Attachment 2) Grant Application

Attachment 3) Memorandum of Understanding

**CITY OF CARMEL-BY-THE-SEA  
CITY COUNCIL**

Attachment 1

**RESOLUTION NO. 2023-104**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA  
AUTHORIZING THE CITY TO ENTER INTO AGREEMENTS FOR THE REGIONAL EARLY  
ACTION PLANNING GRANT 2.0 PROGRAM**

WHEREAS, the California Department of Housing and Community Development (HCD) is authorized to provide up to \$510,000,000 to Metropolitan Planning Organizations and Councils of Government listed in Health and Safety Code Section 50515.08, subdivisions (a)(1)-(6) under the Regional Early Action Planning Grants Program (REAP 2.0), as detailed in Health and Safety Code Section 50515.08-10; and

WHEREAS, the State of California Department of Housing and Community Development (HCD) issued a Notice of Funding Availability on July 26, 2022, for REAP 2.0 grants available to Metropolitan Planning Organizations and Councils of Government; and

WHEREAS, the Association of Monterey Bay Area Governments (AMBAG) requested funds from HCD pursuant to Health and Safety Code Section 50515.08(c) to develop and accelerate the implementation of the requirements described in Health and Safety Code section 50515.08(c)(1); and

WHEREAS, HCD approved AMBAG's Request for Funds, subject to the terms and conditions of Eligibility, Guidelines, NOFAs, Program requirements, and the Standard Agreement by and between HCD and AMBAG; and

WHEREAS, AMBAG is authorized to suballocate REAP 2.0 funds to eligible applicants in the AMBAG region and will administer the REAP 2.0 grant program and provide oversight of the grant program in the AMBAG region; and

WHEREAS, AMBAG developed a suballocation program in cooperation with HCD and eligible applicants in the AMBAG region; and

WHEREAS, the AMBAG issued a Notice of Funding Availability for a REAP 2.0 suballocation program for eligible applicants in the AMBAG region on June 15, 2023; and

WHEREAS, the City of Carmel-by-the-Sea is eligible to submit a request for allocation for a portion of REAP 2.0 funds from AMBAG; and

WHEREAS, the amounts allocated to the City of Carmel-by-the-Sea will be based on the allocation method approved by HCD and AMBAG; and

WHEREAS, AMBAG shall approve allocation requests subject to the terms and conditions of eligibility, guidelines, Notices of Funding Availability, and program requirements.

**NOW THEREFORE, BE IT RESOLVED:**

1. The City of Carmel-by-the-Sea is hereby authorized to accept an allocation not to exceed **\$85,000** from the Association of Monterey Bay Area Governments for REAP 2.0 grant funding, and
2. The City of Carmel-by-the-Sea is hereby authorized to enter into agreements and take further actions as may be necessary to give effect to this resolution, such as executing amendments, memorandums of understanding, and approving funding applications with the Association of Monterey Bay Area Governments for REAP 2.0 grant funding.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA  
this 6th day of November 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

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Dave Potter  
Mayor

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Nova Romero, MMC  
City Clerk



## Regional Early Action Planning Grants of 2021 (REAP 2.0) LOCAL SUBALLOCATION GRANT PROGRAM (LSGP) APPLICATION

### Application for Jurisdictions

**Deadline: August 15, 2023**

This application to the Association of Monterey Bay Area Governments (AMBAG) is for **the Local Suballocation Grant Program**, a grant authorized under the Regional Early Action Planning Grants (REAP 2.0) provisions. The REAP 2.0 program was established through AB 140 (July 2021) for transformative and innovative projects that implement a region's Sustainable Communities Strategy (SCS) and help achieve the objectives of more housing and transportation options that reduce reliance on cars. REAP 2.0 builds on actions completed through the REAP 1 grant program but expands the focus by integrating housing and vehicle miles travelled (VMT) reduction, and by allowing for broader planning and implementation investments, including infrastructure investments supporting housing development. This includes accelerating housing production and facilitating compliance with the 6th Cycle of the housing element.

REAP 2.0 is specifically designed to provide Eligible Entities with tools and resources to help implement and advance plans, primarily including Sustainable Communities Strategies (SCS) as part of Regional Transportation Plans to pursue greenhouse gas emission reduction targets through land use and transportation changes.

The REAP 2.0 Program Framework includes three core components:

1. Regional Competitive Grant Program
2. Local Suballocation Grant Program
3. AMBAG SCS Implementation, Technical Assistance, REAP 2.0 Program Development and Administration

This is the application for the REAP 2.0 Local Suballocation Grant Program. The Local Suballocation Grant Program sets aside \$2,625,000 for jurisdictions throughout the region for eligible projects which meet all REAP 2.0 goals and objectives. The goal of this suballocation program is to provide all cities and counties with an opportunity to propose REAP 2.0 eligible projects while allowing for both implementation and planning uses. All projects or programs must achieve all REAP 2.0 goals, objectives, and pass thresholding criteria. Full guidance and requirements for this grant program can be found in the [AMBAG REAP 2.0: Local Suballocation Grant Program Final Guidelines](#).

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

Attachment 2

**REAP 2.0 Program Goals:**

Invest in housing, planning, and Infill Housing-supportive infrastructure across the entire state in a manner that reduces VMT, increases Housing affordability, and advances equity, consistent with all of the following:

- Advances the State Planning Priorities, as described in Section 65041.1 of the Government Code;
- Affirmatively Furthering Fair Housing;
- Facilitating Housing Element compliance and progress for the sixth cycle RHNA;
- Advancing and implementing the region's SCS.

**REAP 2.0 Program Objectives:**

- Accelerating Infill Development that Facilitates Housing Supply, Choice, and Affordability
- Affirmatively Furthering Fair Housing (AFFH)
- Reducing Vehicle Miles Traveled (VMT)

To apply for project funding, eligible applicants must submit a REAP 2.0 LSGP Application. All sections of this application, including Attachment 1, must be complete and accurate. A jurisdiction may submit multiple applications through the final due date for eligible projects and activities until it has reached its funding maximum.

**Timeline:**

Below is a tentative schedule and is subject to change in the final guidelines.

- April 2023: Released draft LSGP Guidelines for public review
- June 2023: AMBAG adopts final LSGP Program guidelines.
- August 15, 2023: Final application from eligible applicants due to AMBAG.
- September 2023: Grant applications are reviewed and evaluated
- October/November: AMBAG approves applications and awards REAP 2.0
- December 2023 – February 2024: Execute grant agreements with REAP 2.0 awardees
- June 30, 2024: Deadline to encumber REAP 2.0 funds
- March 31, 2026: All REAP projects and activities must be completed; final activity reports due to AMBAG; final project invoices due to AMBAG

All applicants must submit the following to AMBAG by August 15, 2023 to be considered for the award:

1. A completed REAP 2.0 LSGP application along with all required supporting documents within the application period.
2. A fully executed Government Agency Taxpayer ID Form (see Attachment 1).

All applications must be submitted electronically to AMBAG by email to [phierling@ambag.org](mailto:phierling@ambag.org). No hard copies will be accepted.

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

Attachment 2

**Contact:**

If you have questions regarding this application or the REAP 2.0 program, contact Paul Hierling at [phierling@ambag.org](mailto:phierling@ambag.org) or 831-264-5092.



**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

Attachment 2

**A. Applicant Information**

<b>Complete the following Applicant information</b>			
Agency Name		City of Carmel-by-the-Sea	
Agency Type		City	
Applicant's Mailing Address*		P.O. Box CC	
City		Carmel	
State	California	Zip Code	93921
County		Monterey	
Website		www.ci.carmel.ca.us	
Authorized Representative Name		Brandon Swanson	
Authorized Representative Title		Director of Community Planning and Building Department	
Phone	(831) 620-2024	Fax	N/A
Email	bswanson@cbts.us		
Contact Person Name		Katherine Wallace	
Contact Person Title		Associate Planner	
Phone	(831) 620-2032	Fax	N/A
Email	kwallace@cbts.us		
Grant Amount (See program guidelines, Section 2a for amount which your jurisdiction is eligible to apply)		\$	85,000

\*Ensure the Government Agency Taxpayer ID Form matches the Applicants Mailing Address listed above exactly. (See Attachment 1, "Government Agency Taxpayer ID Form")

**B. Threshold Requirements**

Project elements will be rated on a pass or fail basis. Any project that fails one or more of the REAP 2.0 objectives or primary factors will be rejected. Projects that meet all REAP 2.0 objectives and goals will be considered for approval as eligible projects. In the box below, indicate whether your project meets each thresholding criteria.

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

Attachment 2

Thresholding Criteria		
REAP 2.0 Objectives – Does the project:	Yes	No
1. Accelerate Infill Development? (see Section D [1] for more detail)	X	
2. Affirmatively Further Fair Housing? (see Section D [2] for more detail)	X	
3. Reduce VMT?	X	
Primary Factors – Does the project:		
1. Advance Housing Element Compliance?	X	
2. Result in Transformative Planning and Implementation Activities? (see Section D [5] for more detail)	X	
3. Benefit to Disadvantaged and Historically Underserved Populations? (See section D [6] for more detail)	X	
4. Have Significant Beneficial Impacts? (See section D [7] for more detail)	X	
5. Advance California Planning Priorities per <a href="#">Government Code 65041.1</a> ?	X	

As the official designated by the governing body, I hereby certify that the proposed project is consistent with the [AMBAG REAP 2.0 Local Suballocation Final Program Guidelines](#) and meets all program requirements.

I further certify that, if approved by AMBAG for a suballocation of funding through the REAP 2.0 program, the **City of Carmel-by-the-Sea** assumes the responsibilities specified in this application and certifies that the information statements and other content contained in this application are true and correct.

DocuSigned by:  
 Signature: *Brandon Swanson* Name: Brandon Swanson  
371EC7DDB19148A

Date: 8/15/2023 Title: Community Planning and Building Director

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

Attachment 2

**C. Eligible Activities Categories Checklist**

REAP 2.0 funds are focused on implementation of policies, programs, and projects, rather than only the planning processes that were the focus of REAP 1.0. Eligible LSGP projects must accelerate infill development, affirmatively further fair housing, reduce vehicles miles traveled, support housing element implementation and creates expanded opportunities for local efforts to align with AMBAG's regional plans, implement the infill and VMT reduction goals of the [AMBAG 2045 MTP/SCS](#), and support state planning goals.

*Check one or more eligible activity category that will be implemented by the project. Proposed projects falling under these general project categories below must be shown to meet all criteria in Section B through the project narrative section of this application to be approved for funding. If project doesn't fall into these main categories, check the "other" option at the end of this list:*

X	Projects or programs leading to or supporting affordable housing development programs or unit production or preservation;
X	Planning activities that lead to increased residential and/or mixed-use zoned capacity in areas identified as infill (see Section D [1] for infill definition), or land use planning, related studies and/or programs that result in implementable/adoptable programs and policies (meaning subject to adoption or approval of the legislative body) required to meet the programs, projects, and commitments in draft, adopted and/or compliant 6 <sup>th</sup> Cycle Housing Elements;
	Program-level environmental clearance for infill projects (see Section D [1] for infill definition) with AFFH component (See Section D [2] for more detail on AFFH) s;
	Upgrading infrastructure for sewer, water, and dry utility systems that may serve affordable infill housing;
	Housing mobility strategies that serve affordable housing;
	Housing mobility strategies that serve affordable housing;
X	Reductions to barriers to higher density Housing, buildings with four or more units, and accessibility;
	Outreach strategies to address local opposition to Proposed Use;
	Anti-displacement protections;
X	Expanded Housing options;
	Housing-supportive infrastructure;
X	Activities that develop, support, or implement land use planning, policies, or investment strategies that result in substantial changes to travel behavior from increasing population and employment densities, land use mix, street network connectivity, linkages and pathways with active transportation infrastructure, accessibility between destinations, and/or contiguousness of land uses and transportation networks; Activities, subject to applicable program funding requirements, that would develop, support, or implement transportation planning, policies, and investment strategies that support Infill development that facilitates housing supply, choice, and affordability such as n. Increasing transit services and access;

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

Attachment 2

	Building at walkable community scales;
	Enhancing pedestrian and bicycling safety measures;
	Protecting pedestrian and bicycling amenities;
	Multimodal infrastructure connections with multimodal-mobility transportation systems.
	Other Eligible Activity consistent the program guidelines.

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

Attachment 2

**D. Project Description and Narrative**

*Provide a description of the project including a description of the project's impact on accelerating housing production, affirmatively furthering fair housing, and reducing vehicle miles traveled. Describe how your project implements the eligible activities indicated in section C. Eligible Activities Checklist. Indicate how your project addresses regional housing issues that affect the Central Coast. Include whether plans will be adopted. If consultants are used, identify what tasks they will be responsible for. This box will overflow to add additional pages if additional space is needed.*

The City of Carmel-by-the-Sea will pursue the creation and adoption of Objective Design and Development Standards (ODDS) to reduce governmental constraints presently limiting the production of affordable housing. Once adopted, the City's ODDS will be used to review and approve housing projects with at least 20% affordable units (units for very-low, low, and moderate-income households) on sites identified within the City's draft 2023-2031 6<sup>th</sup> Cycle Housing Element. The City's expectation and desired intent is that having ODDS in place will incentivize and accelerate the construction of multi-family affordable housing projects in the City's [downtown zones](#) (Central Commercial (CC), Residential Commercial (RC), Service Commercial (SC), and Multi-Family Residential (R-4), which all fall within the Potential Opportunity Area identified by *Moving Forward Monterey Bay 2045*.

The adoption of ODDS would eliminate a governmental constraint identified in the draft 2023-2031 6<sup>th</sup> Cycle Housing Element, as the City's existing Design Guidelines contain subjective principles that require discretion be applied by City Planning staff and the City's governing bodies (Historic Resources Board, Planning Commission, and City Council). The subjectivity of the existing Design Guidelines is believed to have a stifling effect on the development of higher-density affordable housing; the specificity and non-discretionary nature of ODDS will offer assurances to housing developers working with limited funds. Carmel's ODDS will be developed with community input solicited via an equitable stakeholder outreach effort, and with the assistance of a qualified consultant. Following adoption of the ODDS by the City Council, City staff will pursue an education and outreach program and will also utilize on-line resources for dissemination of information. The City will amend its zoning ordinance and Local Coastal Plan as applicable.

The adoption of ODDS in Carmel-by-the-Sea will result in streamlined, expedited permitting for qualifying projects. This non-discretionary permitting process will incentivize infill housing development and increased density in the downtown zones, where residents enjoy reliable bus transit service (located within a half-mile of all possible project sites). Increased density and availability of affordable housing/housing options will subsequently result in a reduction of VMT as fewer local workers presently commuting long distances from elsewhere in Monterey County and surrounding counties may instead opt to live locally, enjoying access to reliable public transit as needed. The City's present jobs-worker imbalance requires remediation, and the City views ODDS as a solution-oriented action that will help with problematic commute patterns negatively affecting the entire Central Coast region by creating more housing near where people work. Additionally, the implementation of ODDS and the subsequent increase in housing development will reduce existing disparities in housing opportunity and affordability and improve racial and ethnic diversity within the City. The City's efforts to promote integrated and balanced living patterns are fully in line with the State's "Affirmatively Further Fair Housing" goals.

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

**Please respond to the following questions demonstrating how your project is located in a valid infill area and accelerates infill development (600-word limit):**

Explain how the project accelerates infill development near jobs and other key destinations to support housing choice and affordability that effectively reduces VMT and greenhouse gas emissions. “Accelerating Infill Housing Production” or “Accelerating Infill Development, Including Housing” means planning, infrastructure, and other investment and actions that improve the affordability, timing, cost, feasibility, approval, and amount of Housing development. “Infill”, for the purposes of the REAP 2.0 Program, is defined as the following: *Projects within Cities*:

Projects comply with REAP 2.0 Program goals and objectives and are in areas within an Existing/Planned Opportunity Area or Potential Opportunity Area as defined by the AMBAG 2045 MTP/SCS (Moving Forward Monterey Bay 2045) AND comply with the State infill definition in the REAP 2.0 Guidelines as detailed below.

*Projects within Counties:*

Projects comply with REAP 2.0 Program goals and objectives and are within an Existing/Planned Opportunity Area or Potential Opportunity Area as defined by the AMBAG 2045 MTP/SCS (Moving Forward Monterey Bay 2045) AND comply with the State infill definition in the REAP 2.0 Guidelines as detailed below. For more about these areas, see: [AMBAG 2045 MTP/SCS](#).

*All Projects:*

In addition to the above, all projects must meet the State REAP 2.0 infill definition. The State REAP 2.0 infill definition pursuant to State guidelines provides that:

*“Infill”, for the purposes of the REAP 2.0 Program, means areas where all the following apply: (1) the area consists of unused or underutilized lands (2) within existing development patterns (3) that is or will be accessible to destinations and daily services by transit, walking, or bicycling and located in either:*

- a. An urban center, urban corridor, or area with transit-supportive densities, or*
- b. An established community that meets all the following criteria:*
  - i. The area consists or previously consisted of qualified urban uses*
  - ii. The area is predominantly surrounded (approximately 75 percent of the perimeter) by parcels that are developed or previously developed with qualified urban uses. In counting this, perimeters bordering navigable bodies of water and improved parks shall not be included, and*
  - iii. No parcel within or adjoining the area is classified as agricultural or natural and working lands.*
- c. Under unique circumstances, applicants may propose an alternative definition of “Infill” subject to approval by the Department and State Collaborative Partners.*

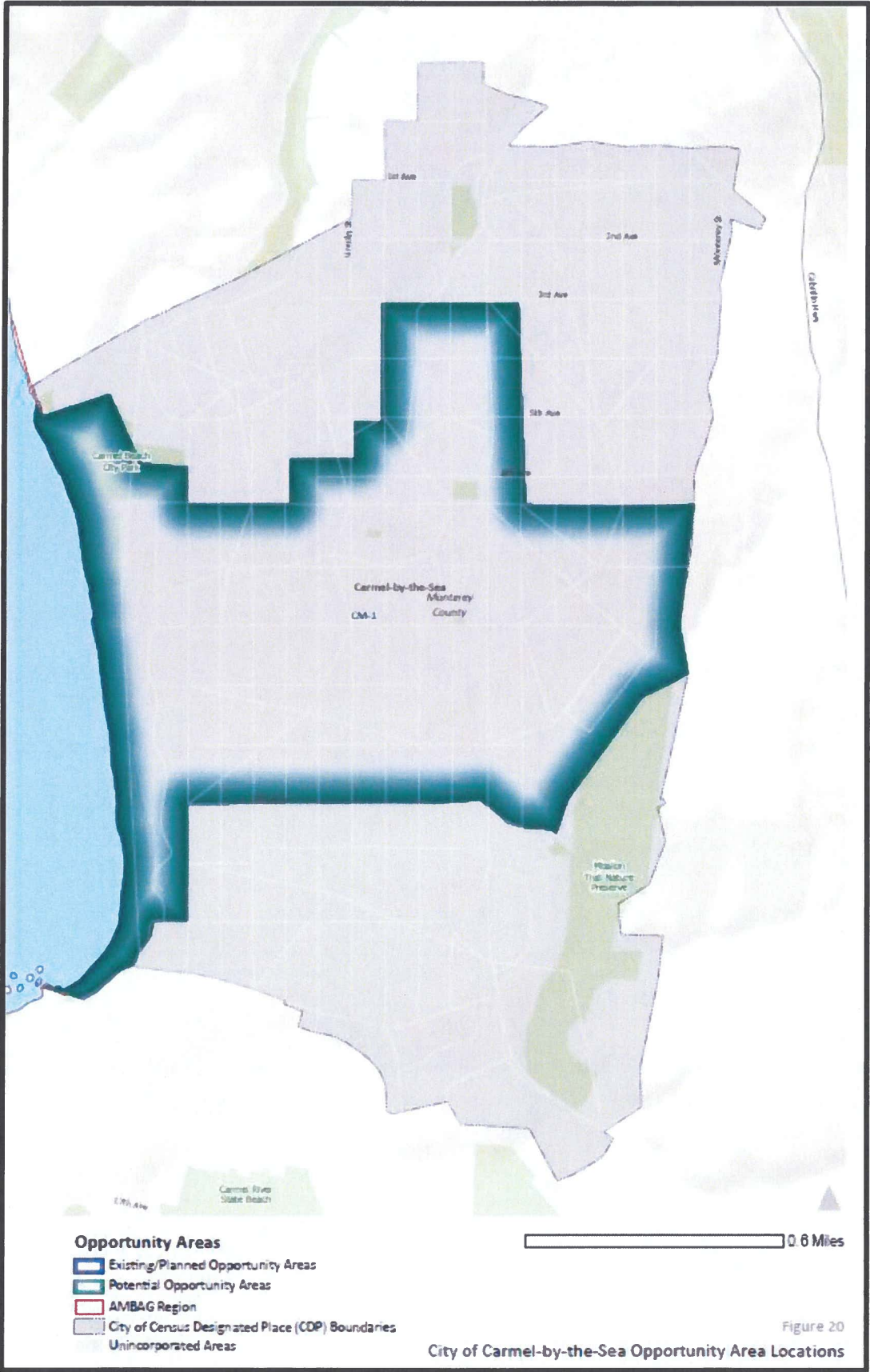


**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

Also explain how the project will further the SCS in focusing future development within transit corridors (within ½ mile of transit), actionize the [Infill Housing Toolkit](#) for SCS implementation with densities beyond single family housing preferred, and support other SCS investments.

Include the address(es) of the project area(s), satellite map (Google Maps or similar) of the project site(s) including surrounding parcels so AMBAG can verify that the project is not adjacent to natural or agricultural lands, and is in an appropriate infill site. If a zoning map is available to show the project location and associated land use designation, that will help assist in confirming the project is in an eligible infill area.

The creation and adoption of Objective Design and Development Standards (ODDS) in Carmel-by-the-Sea will accelerate infill development within the City's "Potential Opportunity Area" recognized by *Moving Forward Monterey Bay 2045*. The Potential Opportunity Area is bound by 3rd Avenue, Torres Street, and Casanova Street north of Ocean Avenue, and the City limits and 11th Avenue south of Ocean Avenue (see map image pasted below, and Table I-1, Appendix I: SCD Maps). The Opportunity Area is estimated to encompass approximately two thousand jobs in various sectors, including but not limited to hospitality and tourism. The desired infill development will be targeted within a high-resource area with amenities and services (grocery stores, shops, restaurants, professional services, etc.) as well as numerous attractions. The creation and adoption of ODDS through a community-partnered planning effort will increase housing choice and affordability within the City's Central Commercial (CC), Residential Commercial (RC), Service Commercial (SC), and Multi-Family Residential (R-4) zones, which all fall within the Potential Opportunity Area. For qualifying projects, ODDS will replace the City's existing discretionary/subjective Design Guidelines, reduce project planning fees for applicants, and enable expedited permit reviews. The resulting increased development of multi-family and mixed-use housing with at least 20% affordable units will effectively reduce VMT and greenhouse gas emissions by either eliminating or lessening commutes for local workers who may choose to reside in Carmel by the Sea. The ODDS will be applied to qualifying projects on unused or underutilized lands, within existing development patterns, accessible to destinations and daily services by transit, walking, or bicycling, and located in areas with transit-supportive densities. The [City's downtown zones](#) (CC, RC, SC, R-4) are all within a half-mile of bus transit. Further, the 2023-2031 6<sup>th</sup> cycle Housing Element proposes to eliminate single-family housing from these zones. See Question 9 for more.





**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

**Please respond to the following questions demonstrating how your projects fulfills each REAP 2.0 objective (200-word limit per response):**

1. Explain how the project affirmatively furthers fair housing. “Affirmatively Furthering Fair Housing”, pursuant to Government Code section 8899.50 means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, Affirmatively Furthering Fair Housing means taking meaningful actions that, taken together, address significant disparities in Housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with Civil Rights and Fair Housing Laws. HCD provides an [AFFH Data Viewer](#) which may assist the applicant in identifying the project’s AFFH impacts.

**The creation and adoption of ODDS is a solution-oriented response to existing disparities in housing opportunity and affordability; a jobs-worker imbalance; and lack of racial and ethnic diversity within Carmel-by-the-Sea. ODDS will “Affirmatively Further Fair Housing” through making the development of affordable housing projects more feasible and less discretionary. The ODDS will be developed via a community/City staff/consultant partnership with ample and equitable stakeholder outreach. ODDS will apply to qualifying projects (at least 20% affordable) on sites identified within the City’s draft 2023-2031 6<sup>th</sup> Cycle Housing Element. The sites have been analyzed in relation to access to resources, overcrowding, cost burden, environmental pollution burden, social vulnerability, displacement risk, and fair housing and equal opportunity cases. The HCD AFFH Data Viewer indicates Carmel is largely homogeneous on those fronts; however, in regards to median income, the AFFH Data Viewer reveals geographic concentrations in particular areas of the City. Carmel has a concentration of households earning less than \$87,100 in the City’s central region (the Potential Opportunity Area), while the northern and southern regions show concentrations of households earning between \$87,100- \$125,000. The central, downtown region of the City will benefit from ODDS, whereas the northern and southern regions primarily feature single-family homes.**

2. Explain how the project reduces Vehicle Miles Travelled (VMT) and is consistent with the [AMBAG 2045 MTP/SCS](#) strategies.

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
**LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION**

The creation and adoption of ODDS will reduce Vehicle Miles Travelled. The desired infill development resulting from ODDS will support established land use patterns that provide a diverse mixture of goods and services in combination with residential uses – which have been shown to reduce VMT. Combining mixed use development with infill development reduces the distance that people have to travel to meet their basic needs. In addition, the City's downtown zones (CC, RC, SC, and R-4) (within the City's "Potential Opportunity Area" recognized by *Moving Forward Monterey Bay 2045*) are all within a half-mile of bus transit. Combining increased density and accessibility to public transit results in a higher likelihood that people will chose to use transit instead of driving. Ultimately, planning for new housing in communities that are currently job rich (like Carmel-by-the-Sea) will help to address the jobs/housing imbalance negatively affecting the greater region and will reduce vehicle miles travelled.

3. Explain how the project advances compliance with your jurisdiction's draft 6<sup>th</sup> Cycle Housing Element.

The City's draft 2023-2031 6<sup>th</sup> Cycle Housing Element includes *Program 1.4.B: Objective Design Standards – AFFH*. The program description acknowledges that the City's present lack of objective design standards creates a higher level of subjectivity for multi-family affordable housing projects, posing a governmental constraint to residential development. The City's existing design guidelines contain subjective principles that require City staff and governing bodies to apply discretion, which increases uncertainty and risk for housing developers working with limited funds. ODDS will provide a measure of clarity that proposed qualifying developments would be measured against, and provide the community with assurance that developments will conform with measurable, specific, objective standards. *Program 1.4.B* commits the City to the creation and adoption of Objective Design and Development Standards and REAP 2.0 funding would not only expedite the endeavor, but would improve the quality of the final work product.

4. Explain how the project will result in Transformative Planning and Implementation Activities. "Transformative planning and implementation activities" means housing, planning, infrastructure investments supporting infill housing, and other actions that enable meeting housing goals that also result in per capita vehicle miles traveled reductions, including accelerating infill development, supporting residents through realizing Multimodal Communities, shifting travel behavior through reducing driving, and increasing transit ridership.

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
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Attachment 2

**The creation and adoption of ODDS in Carmel-by-the-Sea will result in “transformative planning and implementation activities” – specifically, increased development of housing (specifically, affordable and multi-family infill housing), and per capita vehicle miles traveled reductions. Housing developers will be offered assurances that proposed projects will be reviewed via a non-discretionary process, which will lessen expense and risk. This will, in turn, accelerate infill development of qualifying projects in Carmel’s Potential Opportunity Area. Increasing the stock of affordable housing and multi-family housing in Carmel-by-the-Sea will provide greater housing options for local workers who presently commute long distances from elsewhere in the County. If more workers live locally, travel behavior will be shifted through reducing driving and VMT will be reduced from current levels.**

5. Explain how the project has a Benefit to Disadvantaged and Historically Underserved Communities. “Disadvantaged and Historically Underserved Communities” includes concentrated areas of poverty; Areas of High Segregation and Poverty and areas of low to moderate access to opportunity ([TCAC/HCD Opportunity Area Maps](#)); Communities of Concern, Disadvantaged Communities ([SB 535 Disadvantaged Communities Map](#)), and Low-Income Communities pursuant to Senate Bill 535 (De León, Chapter 830, Statutes of 2012) and Assembly Bill 1550 (Gomez, Chapter 369, Statutes of 2016); areas of high Housing cost burdens; areas with high vulnerability of displacement; areas related to Tribal Entities; and other areas experiencing disproportionate impacts of California’s Housing and climate crisis.

**Residents of Carmel-by-the-Sea (both homeowners and renters) are greatly affected by high housing cost burdens. As of 2019, 23% of households were cost burdened and 23% were severely cost burdened. High rates of cost burden increase rates of overcrowding, which sits at 10% in Carmel. The City’s approximate 46% cost burden rate with its 10% overcrowded renter household population indicate an unaffordable and homogenous local housing market. The creation and adoption of ODDS is intended to increase the amount of affordable housing in the City, thereby lessening rates of cost burden and overcrowding.**

6. Explain how your project has Significant Beneficial Impacts? Significant beneficial impacts must lead to substantial changes in land use patterns and travel behaviors. In demonstrating significant beneficial impacts, applicants may consider rates of change (e.g., percent increase over a baseline), the magnitude of impact relative to variables or targets, the proportion of need achieved, and the impact relative to past trends, policies, and practices. Variables or targets may include but are not limited to benefitting households by income group; Regional Housing Needs Assessment; Housing units (new construction, preservation/conservation, and rehabilitation); density; infrastructure; infrastructure capacity and accessibility; public space; community amenities; investments; Vehicle

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
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Miles Traveled reduction goals or targets; regional or local equity policies and programs included in an adopted RTP/SCS; and GHG reduction goals or targets.

**ODDS is expected to result in Significant Beneficial Impacts. During the 2015-2023 5th Cycle Housing Element, the City did not see the creation of any affordable units. The 5th Cycle RHNA was 31 units; of the 18 units permitted, all were above-moderate. Using zero affordable units as a “baseline,” the City expects a significant beneficial impact resulting from ODDS. ODDS is one program (of many) identified in the 2023-2031 6th Cycle Housing Element aimed at reaching the City’s RHNA goal of 349 units, and specifically meeting the extremely low, very low, low, and moderate-income level goals (57, 56, 74, and 44 units respectively).**

7. Explain how your project Advances California Planning Priorities per [Government Code 65041.1](#).

**ODDS will promote infill development of underutilized land served by existing adequate transit, streets, water (where credits are sufficient/available), sewer, and other essential services and utilities. The desired development of affordable housing will not harm the City’s protected environmental resources (described and regulated by the Local Coastal Plan). Existing land patterns will be relied upon and developed in an efficient manner. Greater affordable housing options in Carmel will result in increased equity and environmental protections (lessened VMT). See question 5 for more.**

9. Explain how the project supports promotion of infill development and equity by rehabilitating, maintains, and improves existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas, and to preserve cultural and historic resources.

**The ODDS project will impact a valid infill area (the Potential Opportunity Area identified by Moving Forward Monterey Bay 2045) and will accelerate infill development. The targeted project area (downtown Carmel) contains underutilized lands, existing development patterns, and is highly accessible to destinations and daily services by transit, walking, or bicycling. The targeted project area is located in an established community that meets all the following criteria:**

- i. The area consists or previously consisted of qualified urban uses**
- ii. The area is predominantly surrounded (approximately 75 percent of the perimeter) by parcels that are developed or previously developed with qualified urban uses. In counting this, perimeters bordering navigable bodies of water and improved parks shall not be included, and**
- iii. No parcel within or adjoining the area is classified as agricultural or natural and working lands.**

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
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**Cultural and historic resources within the project area will be protected under the City's Local Coastal Program.**

10. Explain how the project supports protection of environmental and agricultural resources by protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands, natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands, recreation lands such as parks, trails, greenbelts, and other open space, and landscapes with locally unique features and areas identified by the state as deserving special protection.

**The City is one square mile fully located within the Coastal Zone and protected by a Local Coastal Program. The ODDS project will incentivize development of affordable housing within the City's existing zoning districts (specifically, the CC, RC, SC, and R-4 zones). Natural resources within City limits, including but not limited to parks and Carmel Beach, are not targeted for development.**

11. Explain how the project encourages efficient development patterns by ensuring that any infrastructure associated with development does all of the following (150-word limit per question/sub-question):

- a. Uses land efficiently; and

**Development resulting from ODDS will use land efficiently because development will be limited to downtown Carmel-by-the-Sea, a recognized high-resource area.**

- b. Is built adjacent to existing developed areas; and

**Development resulting from ODDS will be built within existing developed areas, which are also adjacent to developed areas.**

- c. Explain how the project is located in an area appropriately planned for growth; and

**Development resulting from ODDS will occur with the Potential Opportunity Area identified by *Moving Forward Monterey Bay 2045*.**

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- d. How the project location is served by adequate transportation and other essential utilities and services; and

**Development resulting from ODDS will occur in areas well served by adequate transportation (bus lines within a half mile) and all other essential utilities and services.**

- e. Explain how the project minimizes ongoing costs to taxpayers?

**Development resulting from ODDS will not have any direct impacts on taxpayer costs.**

**E. Project Schedule and Budget**

*All tasks, budget amounts, dates and deliverables should be included under one line item. Do not add additional rows to the table below. Indicate what tasks will be completed by the consultant and include dates for draft and final deliverables if applicable. Budget must account for the full amount the jurisdiction is eligible to apply for. Include project location(s). All tasks and spending must be completed by March 31, 2026.*

**Regional Early Action Planning Grants 2021 (REAP 2.0)**  
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Attachment 2

**Project Title:**

Tasks	Budget	Start Date	End Date	Description and Deliverables
Creation of Objective Design and Development Standards (ODDS)	\$85,000	10/1/23	3/31/26	Consultant to review existing policies, zoning ordinances, and Design Guidelines to identify design elements suitable for codification as ODDS. ODDS to be consistent with the existing downtown zone(s) in regards to building height, density, parking and other standards. Consultant to provide two drafts and one final ODDS document, inclusive of text and graphics. Consultant to provide meeting materials, facilitate community meetings, and present to the Planning Commission and City Council.
<b>Total:</b>	<b>\$85,000</b>			



**Attachment 1: Government Agency Taxpayer ID Form**

Attachment 2

Financial Information System for California (FI\$Cal)

**GOVERNMENT AGENCY TAXPAYER ID FORM**

2000 Evergreen Street, Suite 215

Sacramento, CA 95815

www.fiscal.ca.gov

1-855-347-2250



The principal purpose of the information provided is to establish the unique identification of the government entity.

**Instructions:** You may submit one form for the principal government agency and all subsidiaries sharing the same TIN. Subsidiaries with a different TIN must submit a separate form. Fields bordered in red are required. Hover over fields to view help information. Please print the form to sign prior to submittal. You may email the form to: vendors@fiscal.ca.gov, or fax it to (916) 576-5200, or mail it to the address above.

Principal  
Government  
Agency Name

City of Carmel-by-the-Sea

Remit-To  
Address (Street  
or PO Box)

P.O. Box CC

City

Carmel-by-the-Sea

State

CA

Zip Code+4

93921-4754

Government Type:



City



County



Special District



Federal



Other (Specify)

Federal  
Employer  
Identification  
Number  
(FEIN)

94-6000306

List other subsidiary Departments, Divisions or Units under your principal agency's jurisdiction who share the same FEIN and receives payment from the State of California.

Dept/Division/Unit  
Name

Complete  
Address

Dept/Division/Unit  
Name

Complete  
Address

Dept/Division/Unit  
Name

Complete  
Address

Dept/Division/Unit  
Name

Complete  
Address

Contact Person

Jane Hogan

Title

Accountant

Phone number

(831) 620-2041

Email Address

jhogan@cbts.us

Signature

DocuSigned by:  
  
3B80FE89418D4D5

Date

8/15/2023



**MEMORANDUM OF UNDERSTANDING**  
**between**  
**THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS**  
**and**  
**the City of CARMEL-BY-THE-SEA**  
**Regarding**  
**REGIONAL EARLY ACTION PLANNING GRANTS PROGRAM OF 2021**

WHEREAS, on June 29, 2021, Governor Newsom signed the Budget Act of Fiscal Year 2021-2022 which established the Regional Early Action Planning Grants Program of 2021 (REAP 2.0 or Program) which allocated \$600 million in one-time funds to accelerate infill housing development, affirmatively further fair housing, and reduce VMT; and

WHEREAS, the California Department of Housing and Community Development (HCD) has been assigned as the state agency overseeing this program; and

WHEREAS, a portion of REAP 2.0 funds have been allocated to the Association of Monterey Bay Area Governments (AMBAG); and

WHEREAS, AMBAG will grant the majority of REAP 2.0 funds to eligible entities in the AMBAG area; and

WHEREAS, eligible entities may apply for a portion of AMBAG's REAP 2.0 funds according to an allocation method approved by the AMBAG Board; and

WHEREAS, AMBAG shall approve grant applications subject to the terms and conditions of eligibility, guidelines, Notices of Funding Availability, and program requirements.

THEREFORE, BE IT RESOLVED:

The following agreement is entered into between the City of CARMEL-BY-THE-SEA (Grantee) and the Association of Monterey Bay Area Governments (AMBAG).

## **AUTHORITY, PURPOSE, AND SCOPE OF WORK**

### **1. Authority**

The Regional Early Action Planning Grants Program of 2021 (REAP 2.0 or Program) is established for the purpose of providing regions with one-time funding, including grants for transformative planning and implementation activities. Up to eight million six hundred and twenty-five thousand (\$8,625,000) shall be distributed by AMBAG to eligible entities in the AMBAG area under the Program in accordance with Chapter 3.15 of the California Health and Safety Code (Statute). The Association of Monterey Bay Area Governments (AMBAG) shall administer the Program to eligible entities in the AMBAG area in accordance with the Statute and AMBAG's REAP 2.0 Local Suballocation Grant Program and Regional Competitive Grant Program Guidelines (Guidelines), pursuant to Health and Safety Code section 50515.10(h), and program guidance.

This Agreement (Agreement) authorizes the encumbrance of the total funds available to the awardee, subject to all statutory requirements and all applicable provisions, including but not limited to the Guidelines, approved applications, and any subsequent modifications.

The Grantee shall consult with AMBAG on any amendment modification or other provision related to the implementation of the Program. AMBAG's decisions related to the administration of the Program shall be final.

### **2. Purpose**

In accordance with the authority cited above, the Grantee has been awarded financial assistance in the form of a grant from the Program. AMBAG has agreed to make the grant for planning and implementation activities pursuant to the Guidelines and this Agreement. By entering into this Agreement and thereby accepting the award of the Program funds, the Grantee agrees to comply with the terms and conditions of the Guidelines, application, as well as this Agreement, subsequent amendments or modifications to this Agreement and the requirements of the authority cited above. Based on all representations made by the Grantee, AMBAG shall encumber the full amount pursuant to the Guidelines and provide payment upon reimbursement request and subsequent payments in accordance with this agreement. All terms, conditions and other relevant provisions will be subject to amendments as a result of subsequent applications and awards for remaining funds in accordance with this agreement.

### **3. Definitions**

Terms herein shall have the same meaning as defined by the Guidelines and Statute.

### **4. Scope of Work**

Grantee shall use the awarded funds in accordance with the approved scope of work as contained in the timeline and budget and related information outlined in the approved application as attached hereto and incorporated herein by this reference, and as set forth in this agreement. The scope of work may be amended in compliance with statutory requirements subject to approval by AMBAG.

5. **Monitoring**

- A. The Grantee shall maintain books, records, documents, and other evidence that demonstrates the funding was used for the appropriate purposes, as described in the Statute, Guidelines, Scope of Work, application, subsequent approved applications and all other pertinent documents. These books, records, documents and other evidence shall be available for audit and inspection by AMBAG at AMBAG's principal place of business.
- B. AMBAG may request additional information, as needed, to demonstrate statutory compliance, satisfaction of program requirements and necessary amendments to this Agreement, including but not limited to reporting or audit requirements, or award amount to the Grantee.
- C. AMBAG may monitor expenditures and activities of the Grantee, as AMBAG deems necessary, to ensure compliance with statutory or AMBAG requirements.
- D. AMBAG may, as it deems appropriate or necessary, request the repayment of funds from a Grantee or pursue any other remedies available to it by law for failure to comply with Program requirements pursuant to Health and Safety Code section 50515.10 (g).
- E. AMBAG's decision to approve or deny an application or request for funding pursuant to the program, and its determination of the amount of funding to be provided, shall be final pursuant to Health and Safety Code section 50515.10(i).
- F. Monitoring provisions may be amended and are subject to additional provisions in accordance with this Agreement or subsequent amendments.

6. **AMBAG Contract Coordinator**

The Contract Coordinator of this Agreement for AMBAG is Paul Hierling, Senior Planner. Any notice, report, or other communication required by this Agreement shall be submitted under the penalty of perjury by email to [phierling@ambag.org](mailto:phierling@ambag.org).

## **BUDGET DETAIL AND PAYMENT PROVISIONS**

### **1. Application for Funds**

- A. AMBAG is entering into this Agreement on the basis of, and in reliance upon, facts, information, assertions and representations contained in any application or award or any subsequent modifications or additions to such thereto approved by AMBAG. All awarded applications for funding and any approved modifications and additions thereto are hereby incorporated into this Agreement.
- B. The Grantee warrants that all information, facts, assertions and representations contained in any approved application, award or approved modifications and additions thereto are true, correct, and complete to the best of the Grantee's knowledge. In the event that any part of an application and any approved modification and addition thereto is untrue, incorrect, incomplete, or misleading in such a manner that would affect AMBAG's approval, disbursement, or monitoring of the funding and the grant or activities governed by this Agreement, AMBAG or AMBAG's designee may declare a breach hereof and take such action or pursue such remedies as are provided for breach hereof.

### **2. Grant and Reimbursement Limit**

- A. The maximum total amount encumbered to the Grantee pursuant to this Agreement shall not exceed \$85,000.00,
- B. This Agreement authorizes payments and awards up to the total award amount as described in Section 2A of this Exhibit and is subject to AMBAG approval.
- C. The Grantee shall submit and follow a schedule for the expenditure of the award prior to disbursement of funds as attached hereto and incorporated hereby this reference. The schedule is subject to AMBAG approval and may be revised as AMBAG deems necessary.

### **3. Grant Timelines**

- A. This Agreement is effective upon approval by all parties and AMBAG.
- B. All Grant funds must be obligated no later than March 31, 2024 and expended by March 31, 2026 unless the grant recipient receives an extension to the grant expenditure deadline in writing.

- C. Extensions to the March 31, 2026 grant spending deadline may only be granted by AMBAG to the grantee in writing after September 31, 2025 and only if the grantee has spent at least 60% of their REAP 2.0 grant by September 31, 2025.
- D. Final invoices must be submitted to AMBAG by April 15, 2026. Under special circumstances, approved by AMBAG and in accordance with the expenditure deadline, AMBAG may modify the invoice deadline and may provide exception to carry out the terms of this Agreement.
- E. It is the responsibility of the Grantee to monitor the progress and timeliness of grant fund obligations, including invoicing and reimbursements within the specified dates.

4. **Allowable Uses of Grant Funds**

- A. AMBAG shall not award or disburse funds unless it determines that the grant funds shall be expended in compliance with the terms and provisions of the Statute and REAP 2.0 Guidelines which includes associated forms and guidelines, approved applications and this Agreement.
- B. Grant funds shall only be used by the Grantee for project activities approved by AMBAG that involve planning and implementation activities in accordance with the Statute and REAP 2.0 Guidelines.
- C. Grant funds may not be used for administrative costs of persons employed by the Grantee for activities not directly related to eligible activities.
- D. A Grantee that receives funds under this Program may use a subcontractor and Grantee shall be accountable to AMBAG to ensure subcontractor's performance of the subcontract shall comply with all the requirements of the Program. The subcontract shall not relieve the Grantee of its responsibilities under the Program.
- E. After the Agreement has been executed by AMBAG and all parties, approved and eligible costs for eligible activities may be reimbursed for the project(s) upon completion of deliverables in accordance with the scope of work and subject to the terms and conditions of this Agreement.

**REAP 2.0 TERMS AND CONDITIONS****1. Accounting and Records**

- A. The Grantee, its employees, contractors, and subcontractors shall establish and maintain an accounting system and reports that properly accumulate incurred project costs by line. The accounting system shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for invoices. Grantees may establish and maintain an accounting system and reports, as described above, on behalf of contractors and subcontractors.
- B. The Grantee must establish a separate ledger account for receipts and expenditures of grant funds and maintain expenditure details in accordance with the budget and timeline. Separate bank accounts are not required.
- C. The Grantee shall maintain documentation of its normal procurement policy and competitive bid process (including the use of sole source purchasing), and financial records of expenditures incurred during the course of the project in accordance with GAAP.
- D. The Grantee agrees that AMBAG or designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of the Agreement.
- E. The Grantee agrees to maintain such records for a possible audit after the final payment for at least five years after all funds have been expended or returned to AMBAG unless a longer period of records retention is stipulated. Wherever practicable, such records should be collected, transmitted, and stored in open and machine- readable formats.
- F. Contractors and subcontractors employed by the Grantee and paid with moneys under the terms of this Agreement shall be responsible for maintaining accounting records as specified above.

**2. Invoicing**

- A. Grant funds cannot be disbursed until the Agreement has been fully executed.
- B. The Grantee will be responsible for compiling and submitting all invoices and

reporting documents.

- C. The Grantee must bill AMBAG based on clear deliverables outlined in the Agreement or budget timeline. Generally, approved and eligible costs incurred for work after execution of the Agreement and completed during the grant term will be reimbursable.
- D. The Grantee shall submit to AMBAG on a quarterly basis or upon completion of deliverable, and each requisition for payment (Invoice) shall accompanied by a narrative progress report. Quarters are defined as July 1 to September 30, October 1 to December 31, January 1 to March 31, and April 1 to June 30. Project invoices may be submitted to AMBAG by the Grantee on a quarterly basis or upon completion of a deliverable, subject to AMBAG's approval.
- E. The grantee shall submit an invoice to AMBAG no later than fifteen calendar days (15) after the close of each quarter. Invoices shall describe progress toward completion of tasks, projects, and products, conformance with project schedules and reporting of costs incurred.
- F. Year-end Invoices, reports, and supporting documentation submitted in the quarter April 1 to June 30 submitted over fifteen calendar days (15) after the close of the quarter shall not be paid.
- G. All invoices must also include supporting documentations including receipts or backup for all expenses for which reimbursement is sought. Supporting documentation may include, but is not limited to, purchase orders, receipts, progress payments, subcontractor invoices, timecards, reports, or any other documentation as deemed necessary by AMBAG to support the reimbursement to the Grantee for expenditures incurred.
- H. Payment of Invoices is contingent upon receipt by AMBAG or the above documentation provided by the Grantee. Payment to Grantee is further contingent upon AMBAG's determination that the performance of the Grantee meets State and AMBAG standards.
- I. All Grantee funds must be spent and work completed by March 31, 2026.
- J. AMBAG must indicate approval of Grantees invoices before they will be considered complete

### 3. **Audits**

- A. At any time during the term of the Agreement, AMBAG may perform or cause to be performed a financial audit of any and all phases of the award. At AMBAG's request, the Grantee shall provide, at its own expense, a financial audit prepared by a certified public accountant. AMBAG has the right to review project documents and conduct audits during project implementation and over the project life.
- B. The Grantee agrees that AMBAG or AMBAG's designee shall have the right to review, obtain, and copy all records and supporting documentation pertaining to performance of this Agreement.
- C. The Grantee agrees to provide AMBAG, or AMBAG's designee, with any relevant information requested.
- D. The Grantee agrees to permit AMBAG or AMBAG's designee access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees who might reasonably have information related to such records and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with statutes, REAP 2.0 Guidelines, and the Agreement.
- E. AMBAG may request additional information, as needed, to meet other applicable audit requirements.
- F. AMBAG or AMBAG's designee may monitor expenditures and activities of a Grantee or its designees, contractors or subcontractors, as AMBAG deems necessary, to ensure compliance with REAP requirements.
- G. If there are audit findings, the Grantee must submit a detailed response acceptable to AMBAG or AMBAG's designee for each audit finding within 90 days from the date of the audit finding report.
- H. The Grantee agrees to maintain such records for possible audit after the final payment for at least five years after all funds have been expended or returned to AMBAG unless a longer period of records retention is stipulated. Wherever practicable, such records should be collected, transmitted, and stored in open and machine- readable formats.
- I. If any litigation, claim, negotiation, audit, monitoring, inspection, or other action has been started before the expiration of the required record retention period, all records must be retained by the Grantee and its designees, contractors, and sub-contractors until completion of the action and resolution of all issues which arise from it. In any contract that it enters into in an amount exceeding \$10,000, the



Grantee shall include AMBAG's right to audit the contractor's records and interview their employees.

- J. The Grantee shall comply with and be aware of the requirements and penalties for violations of fraud and for obstruction of investigation as set forth in California Public Contracts Code Section 10115.10.

4. **Remedies and Non-Performance**

- A. Any dispute concerning a question of fact arising under this Agreement that is not disposed of by agreement shall be decided by AMBAG's Executive Director, or the Executive Director's designee, who may consider any written or verbal evidence submitted by the Grantee. The decision of AMBAG's Executive Director or Designee shall be AMBAG's final decision regarding the dispute, not subject to appeal.
- B. Neither the pendency of a dispute nor its consideration by AMBAG will excuse the Grantee from full and timely performance in accordance with the terms of this Agreement.
- C. In the event that it is determined, at the sole discretion of AMBAG, that the Grantee is not meeting the terms and conditions of the Agreement, immediately upon receiving a written notice from AMBAG to stop work, the Grantee shall cease all work under the Agreement. AMBAG has the sole discretion to determine that the Grantee meets the terms and conditions after a stop work order, and to deliver a written notice to the Grantee to resume work under the Agreement.
- D. AMBAG has the right to terminate the Agreement at any time upon 30 calendar days written notice. The notice shall specify the reason for early termination and may permit the Grantee or AMBAG to rectify any deficiency(ies) prior to the early termination date. The Grantee will submit any requested documents to AMBAG within 30 calendar days of the early termination notice.
- E. The applicant must demonstrate a clear and significant nexus to REAP 2.0 Program goals and objectives and must carry out provisions to meet the Program goals and objectives and other requirements, including, but not limited to, adoption or completion of activities toward policy outcomes and implementation of eligible use activities funded through a suballocation process. Any lack of action or action inconsistent with REAP 2.0 requirements may result in review and could be subject to repayment of the grant.
- F. At any time, if AMBAG finds the Grantee included false information in application, as part of the application review, or subsequent amendments, AMBAG may require

the repayment of funds.

- G. Grantees are responsible for suballocations meeting all REAP 2.0 requirements.
- H. If a grantee has not spent at least 20% of a REAP 2.0 grant awarded by December 31, 2024, that grantee's funding will be deobligated and reallocated to another grantee and/or purpose at the discretion of AMBAG's Executive Director or the Executive Director's designee.
- I. If a grantee has not spent at 60% of a REAP 2.0 grant awarded by September 31, 2025, that grantee's funding may be deobligated and reallocated to another grantee, and/or purpose at the discretion of AMBAG's Executive Director or the Executive Director's designee.
- J. Examples of a breach of this Agreement:
  - 1. Grantee's failure to comply with any term or condition of this Agreement.
  - 2. Use of, or permitting the use of, grant funds provided under this Agreement for any ineligible costs or for any activity not specified and approved under this Agreement.
  - 3. Any failure to comply with the deadlines set forth in this Agreement unless approved by the Program Manager in writing.
- K. AMBAG may, as it deems appropriate or necessary, require the repayment of funds from a Grantee, or pursue any other remedies available to it by law for failure to comply with all REAP 2.0 Program requirements or breach of this agreement.
- L. In addition to any other remedies that may be available to AMBAG in law or equity for breach of this Agreement, AMBAG may at its discretion, exercise a variety of remedies, including but not limited to:
  - 1. Revoke existing REAP 2.0 award(s) to the Grantee;
  - 2. Require the return of unexpended REAP 2.0 funds disbursed under this Agreement;
  - 3. Require repayment of REAP 2.0 Funds disbursed and expended under this Agreement;
  - 4. Seek a court order for specific performance of the obligation defaulted upon, or the appointment of a receiver to complete the obligations in accordance

with the REAP 2.0 Program requirements; and

5. Other remedies available at law, by and through this Agreement. All remedies available to AMBAG are cumulative and not exclusive.
  6. AMBAG may give written notice to the Grantee to cure the breach or violation within a period of not less than 15 calendar days.
- M. The Grantee may be subject to amendment of this section as a result of subsequent applications and awards.
- N. AMBAG and the Grantee are fully committed to working with each other throughout the Term of this Agreement and agree to communicate regularly with each other at all times so as to avoid and minimize disputes. AMBAG and the Grantee agree to act in good faith to prevent and resolve potential sources of conflict before they escalate into a question or controversy. AMBAG and the Grantee each commit to resolving such dispute in an amicable, professional, and expeditious manner and agree to use the following procedure for resolving the dispute: (a) either party may give notice to the other of the dispute and will meet within three (3) business days to attempt to resolve the dispute; (b) a meeting or meetings shall be promptly between the representatives of the parties regarding the dispute to attempt in good faith to negotiate a resolution of the dispute; (c) if within thirty (30) days after a dispute has arisen, the parties have not succeeded in negotiating a resolution of the dispute, they agree to submit the dispute to mediation; (d) the mediator shall be jointly selected by the parties, or failing agreement on the selection of a mediator within thirty (30) days after the parties fail to negotiate an informal resolution of any dispute, the mediator shall be a retired judge or justice selected by the supervising judge of the Civil Division of the Monterey County California Superior Court. In any mediation conducted pursuant to this section, the provision of the California Evidence Code section 1152 shall be applicable to limit the admissibility of evidence disclosed by the parties in the course of the mediation; and € if the parties are not successful in resolving the dispute through the mediation, then the parties agree that the dispute shall be submitted to binding arbitration to a single arbitrator in accordance with the existing Rules of Practice of Judicial Arbitration and Mediation Services, Inc. (JAMS) within thirty (30) days of the close of mediation as declared by the mediator.
- O. In the event either party brings an action or proceeding for damages arising out of the other's performance under this Agreement or to establish the right or remedy of either party, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs as part of such action or proceeding, whether or not such action or proceeding is prosecuted to judgment. This Agreement shall be construed and interpreted according to California law, and any action to enforce the terms of this

Agreement or for the breach thereof shall be brought and tried in the County of Monterey.

5. **Reporting**

- A. At any time during the term of the Agreement, AMBAG may request a performance report that demonstrates satisfaction of all requirements identified in the Agreement with emphasis on eligible activities, eligible uses, and expenditures according to timelines and budgets referenced in the Agreement.
- B. Reports shall include the following information:
  - 1. The status of the Proposed Uses and expenditures listed in the Grantee's applications for funding and progress of each proposed use toward all the objectives of the REAP 2.0 program as provided in the Guidelines and explained in the applications.
  - 2. An explanation and quantification, where appropriate, of the progress achieved toward all of the objectives of the REAP 2.0 program, barriers and solutions for each Proposed Use that is consistent with and incorporates the metrics in the full application, including, but not limited to:
    - i. Housing units accelerated,
    - ii. Reductions in Vehicle Miles Traveled Per Capita,
    - iii. Location of investment,
    - iv. Socioeconomic statistics about the impacted geography, and
    - v. Regional impact explanation

The report must identify whether proposed uses overlap with other programs that share the same objectives as REAP 2.0. The Grantee should also identify any measurement challenges that persist and highlight any administrative barriers that prevent it from obtaining the information it needs to perform better analysis of progress made achieving REAP 2.0 Objectives and make adjustments to the extent possible in subsequent reporting years.

- C. Upon completion of all deliverables within the Agreement, the Grantee shall submit a close out report in a manner and form prescribed by AMBAG.

6. **Indemnification**

Neither AMBAG nor any officer, employee or designee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted by the Grantee, its officers,

employees, agents, its contractors, its sub-recipients or its subcontractors under or in connection with any work, authority or jurisdiction conferred upon the Grantee under this Agreement, Guidelines or Statute. It is understood and agreed that the Grantee shall fully defend, indemnify and save harmless AMBAG and all of AMBAG's staff from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by the Grantee, its officers, employees, agents, contractors, sub-recipients, or subcontractors under this Agreement, Guidelines or Statute.

7. **Waivers**

No waiver of any breach of this Agreement shall be held to be a waiver of any prior or subsequent breach. The failure of AMBAG to enforce at any time the provisions of this Agreement, or to require at any time, performance by the Grantee of these provisions, shall in no way be construed to be a waiver of such provisions nor to affect the validity of this Agreement or the right of AMBAG to enforce these provisions.

8. **Relationship of Parties**

It is expressly understood that this Agreement is an agreement executed by and between two independent governmental entities and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of an independent party.

9. **Third Party Contracts**

- A. All REAP 2.0 related funded procurements must be conducted using a fair and competitive procurement process. The Grantee may use its own procurement procedures as long as the procedures comply with all City/County laws, rules and ordinances governing procurement, and all applicable provisions of California state law.
- B. Any contract entered into as a result of this Agreement shall contain all the provisions stipulated in this Agreement and shall be applicable to the Grantee's sub-recipients, contractors, and subcontractors. Copies of all agreements with sub-recipients, contractors, and subcontractors shall be submitted to AMBAG's program manager.
- C. AMBAG does not have a contractual relationship with the Grantee's sub-recipients, contractors, or subcontractors, and the Grantee shall be fully

responsible for monitoring and enforcement of those agreements and all work performed thereunder.

10. **Compliance with State and Federal Laws, Rules, Guidelines and Regulations**

- A. The Grantee agrees to comply with all state and federal laws, rules and regulations that pertain to construction, health and safety, labor, fair employment practices, equal opportunity, and all other matters applicable to the grant, the Grantee, its contractors or subcontractors, and any other grant activity.
- B. During the performance of this Agreement, the Grantee assures that no otherwise qualified person shall be excluded from participation or employment, denied program benefits, or be subjected to discrimination based on race, color, ancestry, national origin, sex, gender, gender identity, gender expression, genetic information, age, disability, handicap, familial status, religion, or belief, under any program or activity funded by this contract, as required by Title VI of the Civil Rights Act of 1964, the Fair Housing Act (42 USC 3601-20) and all implementing regulations, and the Age Discrimination Act of 1975 and all implementing regulations.
- C. The Grantee shall include the nondiscrimination and compliance provisions of this clause in all agreements with its sub-recipients, contractors, and subcontractors, and shall include a requirement in all agreements that each of them in turn include the nondiscrimination and compliance provisions of this clause in all contracts and subcontracts they enter into to perform work under the REAP 2.0 Program.
- D. The Grantee shall, in the course of performing project work, fully comply with the applicable provisions of the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)
- E. The Grantee shall adopt and implement affirmative processes and procedures that provide information, outreach and promotion of opportunities in the REAP project to encourage participation of all persons regardless of race, color, national origin, sex, religion, familial status, or disability. This includes, but is not limited to, a minority outreach program to ensure the inclusion, to the maximum extent possible, of minorities and women, and entities owned by minorities and women, as required by 24 CFR 92.351.

11. **Litigation**

- A. If any provision of this Agreement, or an underlying obligation, is held invalid by a

court of competent jurisdiction, such invalidity, at the sole discretion of AMBAG, shall not affect any other provisions of this Agreement and the remainder of this Agreement shall remain in full force and effect. Therefore, the provisions of this Agreement are, and shall be, deemed severable.

- B. The Grantee shall notify AMBAG immediately of any claim or legal action undertaken by or against it, which affects or may affect this Agreement or AMBAG, and shall take such action with respect to the claim or legal action consistent with the terms of this Agreement and the interests of AMBAG.

## 12. **Changes in Terms/Amendments**

- A. The Grantee may be subject to amendments to this section as a result of subsequent applications and awards.
- B. This Agreement may only be amended or modified by mutual written agreement of both parties.

## 13. **State-Owned Data**

### A. Definitions

#### 1. Work:

The work to be directly or indirectly produced by the Grantee, its employees, or by and of the Grantee's contractor's, subcontractor's and/or sub-recipient's employees under this Agreement.

#### 2. Work Product:

All deliverables created or produced from Work under this Agreement including, but not limited to, all Work and deliverables conceived or made or, hereafter conceived or made, either solely or jointly with others during the term of this Agreement and during a period of six months after the termination thereof, which relates to the Work commissioned or performed under this Agreement, are considered Work Product. Work Product includes all deliverables, inventions, innovations, improvements, or other works of authorship Grantee and/or Grantee's contractor subcontractor and/or sub-recipient may conceive of or develop in the course of this Agreement, whether or not they are eligible for patent, copyright, trademark, trade secret or other legal protection.

### B. Sharing of Work Product and Rights

All Work Product shall be shared with AMBAG and its partners for various purposes, including education, outreach, transparency and future learning.

14. **Special Conditions**

AMBAG reserves the right to add any special conditions to this Agreement it deems necessary to assure that the policy and goals of the Program are achieved.

15. **Term**

This Memorandum of Understanding shall end on March 31, 2027.

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Date: \_\_\_\_\_

Maura F. Twomey  
Executive Director

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Date: \_\_\_\_\_

Brandon Swanson  
Director of Community Planning and Building  
City of Carmel-by-the-Sea





## **CITY OF CARMEL-BY-THE-SEA CITY COUNCIL AGENDA**

Mayor Dave Potter, Councilmembers Jeff Baron,  
Alissandra Dramov, Karen Ferlito, and Bobby  
Richards  
Contact: 831.620.2000 [www.ci.carmel.ca.us](http://www.ci.carmel.ca.us)

All meetings are held in the City Council Chambers  
East Side of Monte Verde Street  
Between Ocean and 7th Avenues

### **REGULAR MEETING Tuesday, November 7, 2023**

**4:30 PM**

#### **HYBRID MEETING ATTENDANCE OPTIONS**

This meeting will be held in person and via teleconference ("hybrid"). The public is welcome to attend the meeting in person or remotely via Zoom, however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, you may also watch the live stream on the City's YouTube page at: <https://www.youtube.com/@CityofCarmelbytheSea/streams>. To participate in the meeting via Zoom, copy and paste the link below into your browser.

**<https://ci-carmel-ca-us.zoom.us/j/86721067021> Meeting ID: 867 210 67021 Passcode:  
022734 Dial in: (253) 215-8782**

#### **HOW TO OFFER PUBLIC COMMENT**

The public may give public comment at this meeting in person, or using the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to [cityclerk@ci.carmel.ca.us](mailto:cityclerk@ci.carmel.ca.us). Comments must be received at least 2 hours before the meeting in order to be provided to the legislative body. Comments received after that time and up to the beginning of the meeting will be made part of the record.

### **OPEN SESSION 4:30 PM**

#### **CALL TO ORDER AND ROLL CALL**

#### **PLEDGE OF ALLEGIANCE**

#### **EXTRAORDINARY BUSINESS**

- A. Carmel High School Report Out
- B. Proclamation Protecting the Rights of Children

#### **PUBLIC APPEARANCES**

Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Appearances. Each person's comments shall be limited to 3 minutes, or as otherwise established by the Chair. Matters not appearing on the agenda will not receive action at this meeting and may be referred to staff. Persons are not required to provide their names, and it is helpful for speakers to state their names so they may be identified in the minutes of the meeting.

## **ANNOUNCEMENTS**

- A. City Administrator Announcements
- B. City Attorney Announcements
- C. Councilmember Announcements

## **ORDERS OF BUSINESS**

Orders of Business are agenda items that require City Council, Board or Commission discussion, debate, direction to staff, and/or action.

- 1. Receive a presentation on the exploration of street addresses and provide staff with direction
- 2. Mills Act Policy Discussion
- 3. Level 2/Notable Home Incentive Program Proposal

## **PUBLIC HEARINGS**

- 4. Resolution 2023–103, selecting an Overhead to Underground Utility Conversion Project and establishing the Carmel Underground Utility District utilizing Rule 20A allocations

**Recommendation:** Adopt Resolution 2023–103 selecting an Overhead to Underground Utility Conversion Project Option #1 and/or Option #2, and establishing the Carmel Underground Utility District utilizing Rule 20A allocations.

- 5. First Reading of Ordinance No. 2023-007 Amending the Carmel Municipal Code Title 17 (Zoning) by Repealing and Replacing Chapter 17.42 Stormwater Quality and Utility and Chapter 17.43 Water Quality Protection

**Recommendation:**

- 1. Request City Attorney to read Title of Ordinance; and
- 2. Waive the reading in full and introduce Ordinance No. 2023-007 Amending the Carmel Municipal Code Title 17 (Zoning) by Repealing and Replacing Chapter 17.42 Stormwater Quality and Utility and Chapter 17.43 Water Quality Protection; and
- 3. Set a second reading for December 5, 2023.

## **FUTURE AGENDA ITEMS**

## **ADJOURNMENT**

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, located on the NE corner of Ocean Avenue and Lincoln Street, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage <http://www.ci.carmel.ca.us> in accordance with applicable legal requirements.

**SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA**

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this agenda, received after the posting of the agenda will be available for public review at City Hall located on Monte Verde Street between Ocean and Seventh Avenues during regular business hours.

**SPECIAL NOTICES TO PUBLIC**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).

**PUBLIC IMPROVEMENT AUTHORITY SPECIAL MEETING TO FOLLOW  
IMMEDIATELY AFTER**

**CITY OF CARMEL-BY-THE-SEA  
CITY COUNCIL  
PROCLAMATION**

**A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA  
SUPPORTING THE RIGHTS OF CHILDREN**

In recognition of the fundamental importance of safeguarding the rights and welfare of children, the City of Carmel-by-the-Sea hereby proclaims the following:

WHEREAS, the City of Carmel-by-the-Sea is dedicated to upholding and protecting the rights of children; and

WHEREAS, it has come to our attention that a significant percentage, estimated to be between 60-80%, of the 3 to 8 million children residing in orphanages, residential care facilities, and children's homes worldwide are not orphans and could reunite with their families; and

WHEREAS, it has been revealed that the “voluntourism” industry has grown into a multibillion-dollar industry, often profiting from the institutionalizing of children; and

WHEREAS, there are currently no standardized requirements, such as minimum experience, age, or background checks, for volunteers traveling abroad to work with vulnerable children; and

WHEREAS, these requirements are also absent from both the U.S. government, various foreign governments, and major organizations that financially incentivize volunteer placements in residential care homes; and

WHEREAS, organizations facilitating volunteer placements in residential care homes are not mandated to maintain adequate oversight, ensuring that the children receive the minimum standard of care and preventing any potential trafficking of the children from their homes; and

WHEREAS, organizations which receive financial incentive to place volunteers in residential care homes are not mandated to maintain adequate oversight, ensuring that the children receive the minimum standard of care and preventing any potential trafficking of the children from their homes; and

WHEREAS, the children who are placed in Orphanages, Childcare homes or Residential care may be trafficked to worse situations, abandoned on the street, and lose contact with their family; and

WHEREAS, searching for "volunteering with orphans" in a specific country on popular search engines yields advertisements promoting such activities, without any warnings about the dangers they pose to children, inadvertently contributing to the risk of child trafficking; and

WHEREAS, both the United States of America and the state of California currently lack legislation to protect children abroad and to combat domestically funded human trafficking; and

WHEREAS, the 2019 United Nations General Assembly (UNGA) Resolution to the Rights of the Child, Article 35(t), urges governments to take appropriate measures to prevent and address the harms associated with volunteering programs in orphanages, including in the context of tourism, which can lead to trafficking and exploitation.

NOW THEREFORE, BE IT PROCLAIMED THAT, the City of Carmel-by-the-Sea takes a stand in the protection of children's rights:

1. The City of Carmel-by-the-Sea shall only provide support, funding, or benefits to orphanages or residential care that have undergone professional vetting and auditing.
2. The City of Carmel-by-the-Sea will promote awareness of the risks associated with orphanage voluntourism by prohibiting advertisements for such activities in its offices and city buildings.
3. The City of Carmel-by-the-Sea bans orphanage volunteering from all city-sanctioned or city-led volunteering programs.
4. The City of Carmel-by-the-Sea urges all businesses registered in its City limits that work with children to implement background checks for volunteers, especially for those who intend to travel abroad.
5. The City of Carmel-by-the-Sea reaffirms its commitment to raising awareness about the perils related to volunteering programs in orphanages, particularly in the context of tourism, which can lead to child trafficking and exploitation.

NOW, THEREFORE, BE IT FURTHER PROCLAIMED THAT I, Dave Potter, Mayor of the City of Carmel-by-the-Sea, together with the City Council and the citizens of Carmel-by-the-Sea, call on the state of California and the United States of America to make similar resolutions, regulations, and laws which will help globally protect the rights of the child.

November 7, 2023

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Dave Potter, Mayor



## CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

November 7, 2023  
ORDERS OF BUSINESS

<b>TO:</b>	Honorable Mayor and City Council Members
<b>SUBMITTED BY:</b>	Emily Garay, Administrative Analyst
<b>APPROVED BY:</b>	Chip Rerig, City Administrator
<b>SUBJECT:</b>	Receive a presentation on the exploration of street addresses and provide staff with direction

### RECOMMENDATION:

Receive a presentation on the exploration of street addresses and provide staff with direction.

### BACKGROUND/SUMMARY:

Tradition and preservation of Carmel-by-the-Sea's charm, unique look, history, and culture have been at the forefront of its governing body and community throughout its almost 107-year history. Throughout the City's history and culture, a daily trip to the local post office to pick up mail, chat with person behind the counter, and catch up with friendly faces has become a tradition for many residents and community members. Changing times have brought increased scrutiny and requirements for a verifiable street address from financial institutions to secure loans and lines of credit, the California Secretary of State made changes to its filing requirements for businesses to have a verifiable street address, utility companies regularly rely on street addresses to set-up utilities services, and the COVID-19 pandemic brought some people to rely on online ordering of essential necessities and medications. With attention to the concerns of residents, expressions of frustration navigating the increasing standards for address verification, delivery of packages, findability in an emergency, and concern for public safety, the issue of street addresses was placed on the City Council's 2022-2023 priority project list.

On October 4, 2022, City Council received a presentation from staff of preliminary research, historical context, City Council and residents' consideration of street addresses in the past, and a "white paper" (**Attachment 2**). With a focus on the City's intention of not having door-to-door mail delivery and its firm intention to keep the downtown post office open, staff identified as a critical element the necessity to obtain an official answer from the USPS on whether implementing a street address system would compel mail delivery and/or result in the closure of the downtown post office. City Council directed staff to continue research on the issue of exploring a street address system implementation and confirm if implementing a street address system would compel mail delivery service. Staff moved forward exploring street addresses with a recognition and emphasis on the topics of implementing street addresses and at-home/door-to-door mail delivery as two separate issues, with the intention of only exploring implementation of the former.

Staff has worked diligently to continue researching the process of implementing a street address system,

finding answers to questions asked by City Councilmembers and community members (**Attachment 1**), gaining thorough knowledge and understanding of the USPS processes and policies, and developing more consistent lines of communication with USPS representatives. Although staff cannot definitively advise that the downtown post office will never close or move, or that mail delivery beyond the established PO Box system will never happen in the City, staff has found a process within the USPS system of operations that could answer the question of whether street addresses would compel mail delivery beyond the established system.

Staff has identified the “USPS Postal Operations Manual, Issue 9” (USPS POM) (**Attachment 3**), the “US Postal Service National Delivery Planning Standards” (**Attachment 4**), the City’s Municipal Code, and the City’s General Plan as the foundation for exploring a street address system implementation process.

The USPS POM, “serves as a blueprint” and details the USPS’ policies, regulations, and procedures of postal operations. Staff’s analysis of the POM focused on Chapter 63, Sections 631.1-643.1. The US Postal Service National Delivery Planning Standards explains the collaborative process required to establish an addressing system, addressing system requirements for USPS system recognition, and the required point of contact for the process. The point of contact is a local USPS delivery planning individual, referred to as a Growth Manager. The Growth Manager works within the USPS policies and procedures to assist and “work closely with you to determine the best approach to providing mail delivery service” and in determining the “appropriate mode of delivery while considering input from the parties involved.”

A significant development is that USPS has moved to a preferred “centralized delivery” approach or “mode of delivery,” and “curbside, sidewalk delivery, and door modes are generally not available for new delivery points, with very rare exceptions” or “in very unusual circumstances.” Centralized delivery includes a variety of options, including call windows, horizontal mail receptacles, cluster box units (CBUs), and wall-mounted receptacles. The USPS operational policies for delivery services include recognition of local ordinances that may affect the mode of delivery available, listing that PO Box or general delivery service may be provided at the nearest postal facility. If a collaborative process is initiated with the USPS and the Growth Manager, staff would emphasize the City’s general plan and municipal code as it relates to the importance of the City’s character, tradition, and attention to safety due to the City’s unique landscape. At this point, staff has contacted the local Growth Manager for informational purposes only.

Staff’s analysis concludes that implementing a street address/street numbers system would require a collaborative process between the City and the USPS Growth Manager, Postmaster, and/or designee but it will not necessarily automatically trigger at-home/door-to-door mail delivery. Implementing a mode of delivery or delivery method of at-home/door-to-door mail delivery would involve staff and the City taking an intentional and proactive approach in requesting at-home/door-to-door mail delivery from USPS.

Staff’s presentation to City Council will include an explanation of its analysis and conclusion regarding the USPS’ process of street address system and delivery mode implementation, California’s Fire Code and Building Code as it relates to street addresses, and seek direction from City Council on whether to move forward with street addresses exploration and implementation by initiating and engaging in the established process with the local USPS Growth Manager or whether to conclude its research and maintain the status quo of not having a street address system in the City. If staff is directed to move forward, once a collaborative working relationship is established with the USPS Growth manager or representative, staff would return to the City Council with a roadmap and timeline for community engagement and outreach for the process.

## **FISCAL IMPACT:**

N/A

### **PRIOR CITY COUNCIL ACTION:**

On October 4, 2022, Council gave direction to staff to continue to do research on the topic and confirm if implementing a street address system will require mail delivery service.

### **ATTACHMENTS:**

Attachment 1) Questions from City Council & Community

Attachment 2) Street Addresses White Paper

Attachment 3) USPS Postal Operations Manual (POM)

Attachment 4) USPS Handbook PO-632

Attachment 5) USPS POM Chapter 63, Sections 631.1-643.1



### Questions from City Council and Community Members

**1. Does the Fire Department keep any data/notes/recorded information about delayed response times to calls/dispatches due to not being able to initially find the correct house/building (due to absence of street address)? In an emergency response situation or in response to a house alarm?**

- ***Answer from Chief Panholzer:***

We require our personnel to provide a reason for any delayed responses that exceed a 5-minute response time. I checked with Assistant Chief Jim Courtney, who reviews the reports monthly, and he does not recall any time where lack of addresses or inability to find the correct location was indicated as the reason for a delayed response. I cannot say that no addresses has never been a factor in our response, but I have not had any of our personnel indicate a concern with this.

**2. Is the Carmel-by-the-Sea Fire Department aware of any difficulties Carmel-by-the-Sea residents or business owners have with obtaining fire insurance or any other type of structure insurance? Are there any requirements for street address or physical address that will/should affect Carmel-By-The-Sea residents/business owners?**

- ***Answer from Chief Panholzer:***

I am not aware of any circumstance where someone was unable to obtain insurance coverage due to them not having a street address. It is possible that people have not shared that with me if it has happened.

**3. Are there any fire safety requirements the Carmel-by-the-Sea Fire Department is aware of, in terms of street addresses, that may or should affect Carmel-By-The-Sea residents or structures?**

- ***Answer from Chief Panholzer:***

The California Fire Code (adopted by Carmel) has a section requiring addresses for all buildings (see below). This has been brought up in the past. Carmel did not amend the Fire Code when it was adopted to exclude this section; it has just not been enforced.

*505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1 /2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.*

**4. Does the Carmel-by-the-Sea Police Department keep any data or notes on delay of response times due to not initially finding the correct house/building (due to lack of street address)? Also, does the department keep any data/notes/info on police response to house alarms going off and whether there's any recorded difficulty or delay in identifying the correct house with the sounding alarm?**

The Police Department does not log or record data specific to delayed response times and street addresses. While there may be individual address notes within the Computer Aided Dispatch (CAD) system, the correlation of any delayed response times due to lack of street addresses is not a factor that can be pulled from the data set as currently maintained by the CBTS Police Department.

**5. Community members have provided staff with examples of other cities that have street addresses/house numbers but have their mail delivered to a PO Box at their local Post Office.**

Staff has researched how other cities may have received a designation for USPS PO Box delivery and pick-up at a Post Office. The established delivery system would have been implemented with consideration to minimum workload availability by USPS, customer density, condition of roads, and the presence of gates/fences or other obstructions to delivery. Available information for specific cities provided as examples is limited, in reference to the details of the establishment of their mail delivery system. With online research into these specific cities and their mail delivery system being limited and uninformative, staff will attempt to gain insight and more information by communicating with staff from those cities.

**6. If house numbers and building numbers have to be posted for street addresses, how will they look like? Will there be design requirements?**

If building and house numbers will be posted, the appropriate design and presentation of those numbers would be discussed for approval in the context of the City's design guidelines to fit the character of the City.

**7. What about Google Plus Codes? Has staff looked into this and how does it work?**

Google describes the system as:

- Plus Codes are like street addresses for people or places that don't have one. Instead of addresses with street names and numbers, Plus Codes are based on latitude and longitude, and displayed as numbers and letters. With a Plus Code, people can receive deliveries, access emergency and social services, or just help other people find them.
- In rural United States, the Rural Utah Project is using Plus Codes to help members of the Navajo Nation register to vote, and to help emergency services reach residents faster.

Staff found that the system and the app is available to approved organizations that, "have the authority and resources to successfully deliver scaled addressing programs in their areas, and that there is a clear addressing need that can benefit from Plus Codes." In order to access the Address Maker function as a governmental organization, the City has to "request access" by filling out an application that is, "reviewed based on the information provided and our [Address Maker's] capacity to take on additional partners into this program."

Staff recommends discussion and community engagement before submitting any application for the Address Maker as an organization.

**Questions for the Plus Codes Address Maker application include:**

What is the name of your organization? \*

What country(ies) do you hope to address? \*

What are the areas to be addressed? \*

How many properties (residences + businesses) do you hope to address? \*

☐ 10k~50k   ☐ 50k~100k   ☐ 100k~250k   ☐ 500k~1M   ☐ >1M

At what stage is your project? \*

☐ Exploratory   ☐ Plan in place but not resourced   ☐ Plan in place and resourced

Your name \*

Your email \*

Your role \*

Provide link to your organization's website or project page

What additional information would you like to tell us about your project? (ex. what needs are you trying to solve, is there a timing consideration like an upcoming census, etc.)

*Questions Continued on Next Page*

**8. What about the What3Words App?**

The app uses a system that converts GPS coordinates into 3 word addresses, for example it takes the latitude and longitude entered into the app and converts it to “///geese.mirror.arrives”. The process explains that you’re given a what3words location, you can open it in the what3words app, then tap ‘Navigate’ and select ‘Google Maps’ to open the exact location in Google Maps and get directions.

Staff downloaded the app and used the built-in map service to locate City Hall for an example of a three word address. The system assigned, “///sketchbook.fiercer.regenerate” as a possible three word address for City Hall. The app works as a navigation tool but it is unclear whether the generated addresses are verifiable through any financial or governmental organizations.

**9. What happens if someone incorrectly sends USPS to our “physical addresses”? Where does this go? Can the post office intercept this postal mail and put it in our PO Box?**

A precise answer as to whether the Post Office can intercept incorrectly addressed postal mail (addressed to physical address) and place it in a PO Box is a question for USPS that staff can relay. Currently, postal mail addressed to a residents’ geographic or descriptive address is processed as “undeliverable” and sent back to sender.

**10. How long (estimate) does it take to get the online databases for Google/Apple Maps etc to have our new physical addresses so they show up in all of the right places - online etc?**

Staff does not have an estimated timeline for this process and completion.

**11. What anticipated actions do all of us have to do to update our personal records with our new addresses? Or is this optional?**

Residents and community members could continue to use their PO Box addresses for what they consider appropriate and workable for their needs but staff has not outlined specific anticipated actions at this point.

**ADMINISTRATION DEPARTMENT  
CITY OF CARMEL-BY-THE-SEA**

**TO:** Chip Rerig, City Administrator and Maxine Gullo, Assistant City Administrator

**FROM:** Emily Garay, Administrative Analyst

**DATE:** September 16, 2022

**SUBJECT:** Street Addresses in the City of Carmel-by-the-Sea

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**SUMMARY**

In its 106-year history, Carmel-by-the-Sea has not implemented a formal street address system. Tradition and preservation of the City's charm, unique look, and culture have been at the forefront of its governing body and residents' preference in the past to reject implementing a street addressing system have maintained the absence of house street numbers until this day. Based on community feedback and the placement of street addresses on City Council's 2022-2023 priority project list, City staff presents historical context, residents' and Council's approach in consideration of street addresses in the past, and reasons to reconsider the issue out of contemporary necessity. With the presentation of its preliminary research, City staff looks for direction from City Council on how to proceed with the topic of street addresses in Carmel-by-the-Sea.

**BRIEF HISTORY TIMELINE**

- 1888** Santiago Duckworth begins promoting "Carmel City" as a (Catholic) retreat
- 1892** Santiago Duckworth works with Abbie Jane Hunter to promote Carmel-by-the-Sea
- 1902** Partners J. Franklin Devendorf and Frank Powers form the Carmel Development Company and begin to develop Carmel-by-the-Sea
- 1904** The City gets its first Post Office; L.S. Slevin becomes the first Postmaster of Carmel-by-the-Sea; **A.F. Horn** was the first mail-carrier between Carmel and Monterey
- 1916** City of Carmel-by-the-Sea was incorporated
- 1925** Postmaster asks for houses to be numbered
- 1925** Citizens form resolution against houses being numbered
- 1925** Trustees direct house numbering map to be prepared
- 1926** Trustees pass house numbering ordinance (Ord. 68)
- 1926** Postal inspector rejects idea of home mail delivery in Carmel
- 1940** House number ordinance repealed (by Ord. 228)
- 1953** Council protests potential state bill for house numbers
- 1953** Carmel threatens to secede from the state of California when the state considered insisting on house numbers in every community
- 2000** Council receives staff report and votes to table discussion on street delivery
- 2021** Council and staff discuss the need to start discussion and process related to assigning addresses

## BACKGROUND

### ***Carmel's Beginnings***

In 1888, Santiago J. Duckworth acquired 324 acres from landowner Honor Escolle with the intention of developing Carmel City into a Catholic summer retreat.<sup>1</sup> Duckworth had the land surveyed by Monterey city engineer, W.C. Little and a map of the City was filed in May of 1888.<sup>2</sup> Little's map divided 135 blocks into four tracks and Duckworth began advertising lots for sale in July of 1888 for \$20.00 and \$25.00 for corner lots.<sup>3</sup> Working with San Francisco businesswoman Abbie Jane Hunter, Duckworth continued advertising the lots for sale and in 1892 Hunter mailed promotional postcards advertising the City as "Carmel-by-the-Sea" for the first time.<sup>4</sup> By late 1892, Duckworth prioritized his political aspirations and consequently ending his involvement with the promotion and development Carmel-by-the-Sea.

### ***Carmel Development Company***

In 1901, "two far-seeing idealistic men", James Franklin Devendorf and Frank Powers arrived in Carmel City and soon purchased Escolle and Duckworth's land holdings in the City.<sup>5</sup> The pair founded the Carmel Development Company in 1902, with Powers providing financial backing and legal work and Devendorf managing the company and development of the land.<sup>6</sup> They were "lovers of natural beauty and it meant more to them to get settlers who were interested in its preservation than to seek profitable expansion."<sup>7</sup> Devendorf and Powers envisioned a unique community next to the Pacific Ocean, "a seaside town on Carmel Beach in the pine forest alongside Carmel Mission."<sup>8</sup>

Devendorf and Powers have long been considered the visionaries that developed the land in Carmel-by-the-Sea and along with it built a unique make up of residents with a penchant for the outdoors and community involvement. They sought to bring in residents "of small means who were interested in the arts", the makeup of the residency was integral to Devendorf's vision, so much so that the company sold lots for "nothing down, pay-when-you-can" to artists and performers wanting to live in Carmel-by-the-Sea.<sup>9</sup> After a devastating earthquake and fire in San Francisco "left a group of artists, writers, and musicians homeless...many of them decided to settle in Carmel...their coming was set the future for the development of Carmel as a cultural

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<sup>1</sup> "Carmel-by-the-Sea Historically Speaking...", *Game & Gossip Magazine*, December 7, 1966, 8-10.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Harold Gilliam, Ann Gilliam, *Creating Carmel: The Enduring Vision*, (Salt Lake City: Peregrine Smith Books, 1992) 16, 185-186.

<sup>5</sup> "Unlike Most Subdivisions – Carmel Was Not Started as a Place to Make Money," *Monterey Peninsula Herald*, August 27, 1949.

<sup>6</sup> Harold Gilliam, Ann Gilliam, *Creating Carmel: The Enduring Vision*, (Salt Lake City: Peregrine Smith Books, 1992) 16, 185-186.

<sup>7</sup> "Unlike Most Subdivisions – Carmel was Not started as a Place to Make Money," *Monterey Peninsula Herald*, August 27, 1949.

<sup>8</sup> James Franklin Devendorf to School Teachers of California and other Brain workers at in-door employment, Carmel-by-the-Sea, May 21, 1903.

<sup>9</sup> "First Subdivision Map for Carmel Filed in 1902," *Monterey Peninsula Herald*, June 1, 1970.

community inhabited by persons of vision who wished to preserve the natural beauty of their surroundings and the unique charm of a village in a forest above a white sand beach.”<sup>10</sup>

### ***City of Carmel-by-the-Sea***

The City of Carmel-by-the-Sea was incorporated in 1916, the same year voters chose members of the City’s first governing body.<sup>11</sup> That first governing body focused on framing laws to protect the new City of Carmel-by-the-Sea with special attention to the protection of City trees.<sup>12</sup> Political and cultural battles between residents and a growing business presence were common for years, the need to preserve the culture and character of Carmel-by-the-Sea was a driving motivation for residents and elected trustees. In 1929, a zoning law was passed stating that “business development should forever be subordinate to the residential character of the community,” still a concept today guarded deeply by residents and the City’s governing body.<sup>13</sup> The uniqueness and charm of Carmel has been credited to resident and its governing body for preserving that vision of a town in a pine forest, after incorporation there was the notion that “Carmel belonged to the people...it was theirs to develop as they saw fit” with some wanting to keep Carmel “a simple village with as few earmarks of a city as possible.”<sup>14</sup> The concept of preserving the City’s character, with that 1929 ordinance, can be lauded as the impetus for Carmel keeping residential streets free of sidewalks, street lights, no “high rise buildings to mar the outline of these pines against the sky,” forbidding of neon signs, and no street addresses or mailboxes lining the streets.<sup>15</sup>

### ***Street Addresses***

Walking down almost any street within the one-square-mile of Carmel-by-the-Sea something becomes obvious, there are no street addresses. There are no numbers on the exterior walls of houses, no displayed numbering system identifying a particular house or building. The absence of street addresses is perhaps more obvious when one attempts to have their GPS route their car to a particular house or building in Carmel-by-the-Sea. Modern GPS systems do not recognize the “descriptive” street addresses that Carmel-by-the-Sea residents use to identify their house; a mobile phone or car’s GPS will not recognize “Monte Verde 3 SE of Ocean”. Even though GPS devices do not recognize the descriptive street addresses residents use, residents and business owners often use signs to make their house or building identifiable by someone on the street. The signs in front of houses with a particular phrase, “name” of the house, or residents’ last names are also something that becomes obvious to anyone walking a residential street in Carmel-by-the-Sea. The topic of the City adopting a formal addressing system has been considered before and met with varying degrees of opinions, such as former mayor and trustee Perry Newberry

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<sup>10</sup> Marjory Lloyd, “The History of Carmel,” *The Carmel Pine Cone*, February 3, 1975.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Carol Card, “Memory Lane Through The Years With Ocean Avenue,” *The Carmel Pine Cone*, April 8, 1949.

<sup>15</sup> Marjory Lloyd, “The History of Carmel,” *The Carmel Pine Cone*, February 3, 1975.

("arguably [Carmel's] best known, and certainly most outspoken, citizen") firmly against numbering houses and keeping Carmel-by-the-Sea "different from every other small town."<sup>1617</sup>

Throughout its history in consideration of street addresses Carmel-by-the-Sea residents and its governing body have responded with varied support or opposition to implementing street addresses. In 1926, City trustees passed an ordinance for house numbering of Carmel-by-the-Sea properties.<sup>1819</sup> The ordinance made it unlawful for the owner of any real property in the City to "maintain any house, building, or structure...without posting securely...visible to passerby...a number plate showing in legible figures the number of said premises."<sup>20</sup> The ordinance was passed by a unanimous vote but the City did not implement or enforce the posting of house numbers, in 1940 the house number ordinance was officially repealed.<sup>21</sup> In 2002, when the issue of mail delivery was at the center of attention, Council Member Barbara Livingston advocated to pass an ordinance to "specifically ban street addresses."<sup>22</sup> In its 106 year history, Carmel-by-the-Sea has not assigned or displayed street addresses, it is one of the more unique attributes of the City that has been considered for discussion throughout the years. The issue of street addresses was brought up again in the July 2021 City Council meeting with Council Members stating a "need to start the discussion and process relating to assigning addresses."<sup>23</sup>

Carmel-the-Sea has not always been alone in not implementing street addresses after seemingly most of the country adopted a numbering address system. Until the early 2000's, some rural towns in West Virginia remained without street addresses with a house numbering system only instituted in 2001 based in the concept of security and referred to as the "911 addressing system."<sup>24</sup> In places like McDowell County, West Virginia, residents picked up their mail at the local post office and had Amazon packages delivered to City Hall or the local bank.<sup>25</sup> Unsurprisingly, not everyone wanted a house number assigned to their property, some residents expressed not necessarily wanting to be "found" or that they did not mind their current workarounds in not having a street address as it had become a part of everyday life.<sup>26</sup> The need to be findable in emergencies proved a crucial aspect in implementing a house numbering system with accounts of firefighters' "chaotic attempts to locate frantic callers who can't give an address."<sup>27</sup>

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<sup>16</sup> Neal Hotelling, "Perry Newberry's final editorial is unfinished," *The Carmel Pine Cone*, February 14, 2020.

<sup>17</sup> Neal Hotelling, "For a successful, thoroughly modern city, don't vote for Perry," *The Carmel Pine Cone*, February 7, 2020.

<sup>18</sup> Carmel-by-the-Sea, Cal., Ord. 68.

<sup>19</sup> Ordinance 68 stated, "house numbering system for the City of Carmel-by-the-Sea is hereby adopted as and for the house-numbering Map Book of said City."

<sup>20</sup> Carmel-by-the-Sea, Cal., Ord. 68 §2.

<sup>21</sup> Carmel-by-the-Sea, Cal., Ord. 228.

<sup>22</sup> Kevin Howe, "Carmel Residents Adapt to Mail Delivery," *The Carmel Pine Cone*, March 29, 2002.

<sup>23</sup> Carmel-by-the-Sea City Council Regular Meeting, July 6, 2021.

<sup>24</sup> Anton Tantner, *House Numbers* (London: Reaktion Books, 2005), 28.

<sup>25</sup> Deirdre Mask, "Where the Streets Have No Name," *The Atlantic*, January/February 2013.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.



### ***Consideration for Street Addresses***

As times change, as financial and governmental institutions change their requirements for filing paperwork, as the COVID-19 pandemic spurred a turn to online ordering and delivery of essential necessities, the notion of exploring a street address system has made its way to the City Council's 2022-2023 priority project list. The reasoning behind making this a priority item comes from the changing times and residents expressing difficulties in opening or maintaining financial accounts, securing loans, obtaining a REAL ID Driver's license or passport, activating or changing basic utilities like wireless internet, having packages delivered to the correct house, or being "findable" in an emergency as a matter of public safety. Some Carmel-by-the-Sea residents have expressed frustration with the difficulty in establishing financial accounts or records without a traditional street address to provide to financial institutions who will not accept a PO Box as the address on record. Increased due diligence requirements for United States financial institutions post 9/11 have affected the information financial institutions are required to collect.<sup>28</sup> Staying in compliance with federal law requires banks to "collect and verify customer-provided information, such as birth dates, addresses and copies of drivers' licenses or passports."<sup>2930</sup> For matters not involving financial records requirements, Carmel-by-the-Sea residents provide new neighbors with workarounds and look out for each other's packages when a new UPS or FedEx driver accidentally delivers a package to the wrong house. The current descriptive address system, the use of unique house "names" on a sign outside of residents' houses, and use of the US Post Office's physical address for vendors that do not ship to PO Boxes can prove to be efficient and straightforward to many Carmel-by-the-Sea residents. The City's proposal of exploring the idea of street addresses for its one square mile is rooted in listening to residents who have exhausted the workarounds and expressed the need to be findable in emergencies, to have an address to which they can reliably receive packages containing medical necessities, and maintain financial affairs in order.

### ***Exploring Street Addresses for Carmel-by-the-Sea, What It Means for the Local Post Office***

The City administration recognizes the topics of implementing street addresses and at-home mail delivery as two separate issues with the intention of exclusively exploring consideration of the former. At-home mail delivery for all residents in Carmel-by-the-Sea by the US Postal Service is not an action City staff will advocate for or pursue with the possible implementation of street addresses. The local post office has a long history in Carmel-by-the-Sea as being a local hub to where residents can make a daily visit to check their PO boxes, pick up packages from the friendly faces at the counter who many residents know by name, and catch up with other neighbors making the visit that day. Carmel-by-the-Sea's downtown post office is one of about 4,400 independent post offices in the United States that do not have carrier delivery and not a status the City wants to change.<sup>31</sup> City staff has established a line of communication with the Carmel Postmaster and plans to continue the discussion and communication of the City's hardline stand

<sup>28</sup> Richard Newman, "9/11 and Patriot Act Changed the Way You Bank", APP, September 8, 2016, <https://www.app.com/story/money/business/main-street/2016/09/08/911-patriot-act-banks/90003828/>.

<sup>29</sup> Ibid.

<sup>30</sup> Section 312 and Section 326 of the USA PATRIOT Act required financial institutions to establish heightened due diligence and verification of identification procedures.

<sup>31</sup> Patricia Lee Brown, "Fighting for a Carrier-Free Zone," *The New York Times*, September 6, 2000.

of not wanting at-home mail delivery for Carmel-by-the-Sea and maintaining the downtown post office open and operational.

### ***Tradition Considered in Street Address Project Exploration***

Since Duckworth's arrival and later Devendorf and Powers' visionary development of the City of Carmel-by-the-Sea, the absence of street addresses has been intentional. Throughout its 106-year history, the City and its residents have expressed a sense of pride in the idiosyncrasies that make Carmel-by-the-Sea unique and unlike any other, at the center is often the storied absence of street addresses within the City limits. Changing the longstanding tradition is not an idea to take lightly as plenty of Carmel-by-the-Sea residents have expressed in the past, stating "we don't like numbers on our homes, neon signs, and we like to get our mail at the post office."<sup>32</sup> With attention to tradition, the challenges that come with the absence of street addresses should be weighed against the changing world and the need for street addresses for ease-of-access to essential necessities and public safety issues identified by Carmel-by-the-Sea residents.

### **FUTURE CONSIDERATIONS**

Priorities in exploring a street address development process would include ensuring and maintaining the downtown post office in operation, a clear stand against implementing at-home mail delivery, and any consideration of street address signs would be subject to specifically developed design standards. Additionally, there is the possible consideration of implementing street addresses solely for purpose of being findable on a map or GPS device without exterior display of house numbers, a choice for residents to decide, or approaching the system with the expectation of design standards-approved street number signs outside every house and building in Carmel-by-the-Sea. At Council's direction, City staff can meet with the Carmel Postmaster, research different options for a street address program, including non-traditional systems of street addressing such as Google Plus codes or varying alpha numeric addressing systems. The implementation of street addresses has been considered by City Council before and with a wide spectrum of opinions on the topic, City staff looks to Council for direction to begin exploring a street address implementation process or maintain the status quo.

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<sup>32</sup> Frank Bruno, "Whither the Carmel post office?," *The Carmel Pine Cone*, July 5, 1973.

# Update Notice

## Postal Operations Manual, POM Issue 9 July 2002

**Postal Operations Manual, POM Issue 9**, was last printed in July 2002. To inform you of changes since that time, we periodically update this online edition of the POM. We use vertical bars (i.e., revision bars) in the margin to indicate text changed since July 2002.

This online version of the POM has been updated with changes through April 30, 2022, as follows:

This chapter, subchapter, part, or section...	titled...	was...	in <i>Postal Bulletin</i> issue number...	with an issue date/ effective date of...
Entire handbook	Postal Operations Manual	<ul style="list-style-type: none"> <li>■ updated to provide current references to the Domestic Mail Manual.</li> <li>■ updated to change Express Mail® to Priority Mail Express®.</li> <li>■ updated to change Bulk Mail Centers to Network Distribution Centers.</li> </ul>	N/A	8-30-19
Entire handbook	Postal Operations Manual	updated to replace Standard Mail with USPS Marketing Mail™.	N/A	10-30-17
<b>Chapter 1, Retail Management</b>				
123.11	Post Offices	revised to include provisions on Remotely Managed Post Offices and Part-Time Post Offices.	22344	8-23-12
123.12	Other Retail Units	updated with a new heading title.		
123.122	Post Offices	updated to clarify definition of Post Offices.		
123.124	Stations	updated to clarify definition of station.		
123.125	Branches	updated to clarify definition of branches.		
123.128	Nonpersonnel Units	updated to define nonpersonnel units.		
123.129	Village Post Office	added to provide definition of Village Post Office.		
123.242	Requirements	updated to change “the contract” to “any contracts.”		
123.41	Postal Service-Operated Retail Facility Names	updated to change the heading title.		
123.413	Designations of Stations, Branches, Community Post Offices, and Other Named Facilities	updated with revised items b and e.		
123.42	Contractor-Operated Retail Facilities	revised to change title of heading.		

<b>This chapter, subchapter, part, or section...</b>	<b>titled...</b>	<b>was...</b>	<b>in <i>Postal Bulletin</i> issue number...</b>	<b>with an issue date/ effective date of...</b>
123.5 through 123.8	Reporting Requirements for Change in Post Office, Station, or Branch and ZIP Code Status	revised to remove the discontinuance procedures, to delete 123.6 through 123.8, and to renumber 123.9 as 123.6.	22314	6-30-11
123.6 and 123.7	Discontinuation of Post Offices, and Emergency Suspension of Service	revised to include recent policy changes to the approval/ disapproval authority for Post Office closing final determinations.	22124	3-18-04
123.622	ZIP Code Assignment	revised to include recent policy changes related to ZIP Code retention at discontinued facilities.	22124	3-18-04
123.72	Suspension Review Team	added to revise emergency suspension procedures.	22124	3-18-04
123.81	Notice to Postal Officials	revised to correct the approval authority for the discontinuance of Post Offices.	22130	6-10-04
124.532	Smoking	revised to clarify the definition of smoking.	22388	05-01-14
124.6	Nondiscrimination	revised to update policy on nondiscrimination.	NA	1-31-21
125.22	National Holidays	revised to update USPS level of service on holidays.	22313	6-16-11
Exhibit 125.22a	Holiday Service Levels	revised to update USPS level of service on holidays.	22313	6-16-11
Exhibit 125.22b	Holidays Not Widely Observed	revised to update USPS level of service on holidays.	22313	6-16-11
125.341	General	revised to replace the reference to Poster 76 with Poster 37.	22348	10-18-12
Exhibit 125.342	Mandatory Lobby Displays	revised to replace the reference to Poster 76 with Poster 37.	22348	10-18-12
Exhibit 125.343	Mandatory Public Information to be Available	revised to reflect signage language in Post Offices.	22187	8-17-06
		revised to update mandatory information to be made available to the public.	22289	7-15-10
126.41 through 126.46	Nonholiday Weekdays	revised to update guidance for retail hours.	22289	7-15-10
126.41	General	updated to reflect changes in hours of service and staffing for retail units previously classified as EAS Level 16 or below Post Offices.	22344	8-23-12
126.412	Saturdays	updated to clarify service hours on Saturdays.	22344	8-23-12
126.413	Sundays	updated to clarify approval for service hours on Sunday.	22344	8-23-12
126.46	Consolidation of Retail Counter Service	updated to replace Customer Service and Sales with area office.	22344	8-23-12

<b>This chapter, subchapter, part, or section...</b>	<b>titled...</b>	<b>was...</b>	<b>in <i>Postal Bulletin</i> issue number...</b>	<b>with an issue date/ effective date of...</b>
131.3	Forms of Identification	added to specify the acceptable forms of identification when applying for certain products and services.	N/A	8-30-19
132.14	Purchase Receipts	revised to update the form used for purchase receipts.	22266	8-27-09
136.3	Business Reply Mail and Merchandise Return Service	revised to update information on merchandise return service.	N/A	N/A
136.6	Information-based Indicia postage Paid Labels	added to include information on IBI postage paid labels.	22269	10-8-09
137.426	Package Services	revised to provide reference to Publication 52.	N/A	8-30-19
137.5	Priority Mail Express Acceptance	revised to describe Priority Mail Express and give DMM references.	N/A	8-30-19
138.225	Customer Inquiry of Name on Postal Service List	updated to provide new address for the Prohibitory Order Processing Center.	22361	4-18-13
139.116	Authorized Mailability Decisions	revised to clarify that certain duties assigned to postmasters may be performed by subordinate personnel under a postmaster's supervision.	22325	12-1-11
139.118	Return to Sender with Report to PCSC	revised to update procedures on undeliverable mail	22584	11-4-21
141.421 through 141.425	General	revised to update standards of Post Office Box service.	22289	7-15-10
143	INTELPOST Service	deleted to reflect the fact that INTELPOST (international electronic post) service is no longer available.	22124	3-18-04
144 through 147	Photocopy Service	renumbered as 143 through 146.	22124	3-18-04
145.11	Authorizing Refunds	revised to add item k.	22321	10-6-11
146.1	Processing Refunds for Postage Stamps on Business Reply Mail, Postage Meter Stamps, Meter Impressions, Permit Imprints or Rejected Personalized Envelopes	revised to allow all Post Offices to process refunds for postage requested.	22088	10-31-02
146.11	Customer Action	revised to add new DMM references.	22193	11-9-06
		revised to clarify existing policies and procedures for filing indemnity claims.	22127	4-29-04
Exhibit 146.11	General Instructions for Filing Claims	updated to provide instructions for filing indemnity claims.	22127	4-29-04

<b>This chapter, subchapter, part, or section...</b>	<b>titled...</b>	<b>was...</b>	<b>in <i>Postal Bulletin</i> issue number...</b>	<b>with an issue date/ effective date of...</b>
146.111	Customer Action	revised to add new DMM references.	22193	11-09-06
		revised to specify the material to be sent directly to Claims Appeals at the St. Louis Accounting Service Center.	22127	4-29-04
146.112	Accepting Post Office	revised to include a reference to the new PS Form 2856, <i>Damage Report of Insured Parcel and Contents</i> .	22188	8-31-06
146.113	Claims and Inquiry Employee	updated to specify copy 3 of PS Form 1000.	22127	4-29-04
Exhibit 146.12	Processing Claims for Damage or Partial Loss of Contents	deleted.	22127	4-29-04
146.121	Tendered	updated to change section title to "Loss of Numbered Insured or Registered With Postal Insurance Article" and to reflect the steps for processing claims.	22127	4-29-04
	Loss of Numbered Insured or Registered With Postal Insurance Article	revised to add DMM reference.	22193	11-9-06
146.122	Loss of Unnumbered Insured Articles	revised to reflect that locally adjudicated claim forms will be forwarded to St. Louis after processing to ensure all claim data are captured by the system.	22127	4-29-04
146.123	Loss of COD Articles (or Nonremittance)	deleted.	22127	4-29-04
	Loss of Priority Mail Express Articles	deleted. Renumber current 146.126 "Damage claim Filed by Addressee" as new 146.124	22127	4-29-04
146.124	Damage Claim Filed by Addressee	updated to reflect revised PS Form 1000.	22193	11-9-06
		revised to include a reference to the new PS Form 2856, <i>Damage Report of Insured Parcel and Contents</i> .	22188	8-31-06
Exhibit 146.124	Processing Claims for Damage or Partial Loss of Contents	revised to include a reference to the new PS Form 2856, <i>Damage Report of Insured Parcel and Contents</i> .	22188	8-31-06
146.125	Damage Claim Filed by Sender	renumbered as section 146.123 and updated to reflect new procedures.	22127	4-29-04
146.126	Damage Claim Filed by Addressee	renumbered as section 146.124, revised, and updated to add new Exhibit 146.124.	22127	4-29-04
146.127	Damage Claims Exceptions	deleted.	22127	4-29-04
146.128	Replacement Shipments	deleted.	22127	4-29-04
146.129	Estimates and Appraisals	renumbered as section 146.25.	22127	4-29-04

<b>This chapter, subchapter, part, or section...</b>	<b>titled...</b>	<b>was...</b>	<b>in <i>Postal Bulletin</i> issue number...</b>	<b>with an issue date/ effective date of...</b>
146.13	Processing Claims Received From Another Office	deleted.	22127	4-29-04
146.131	Time Limits	revised to add new DMM reference.	22193	11-9-06
146.14 through 146.144	Inquiries and Duplicate Claims	renumbered as new sections 146.13 through 146.134 and revised to show new procedures.	22127	4-29-04
146.145	Registered Mail and Priority Mail Express	deleted.	22127	4-29-04
146.2	Reimbursements	deleted. Renumbered 146.3 and 146.4 as new 146.2 and 146.3.	22266	8-27-09
146.22	Unused Meter Stamps	updated to show change in procedures.	22127	4-29-04
		deleted.	22088	10-31-02
146.31	Damaged Article	revised how an accepting employee documents damage to support indemnity claims.	22188	8-31-06
146.4 through 146.425	Sample Claims	deleted.	22127	4-29-04
146.5 through 146.52	Quarterly Review	renumbered as sections 146.4 through 146.42.	22127	4-29-04
151.11	Stamps by Mail PS Forms 3227-A and 3227-B	revised to reflect updated policy for Stamps by Mail service.	22194	11-23-06
151.12	Rural Delivery Areas — PS Form 3227-R	revised to reflect updated policy for Stamps by Mail service.	22194	11-23-06
151.13	Written and Telephone Requests	added to reflect updated policy for Stamps by Mail service.	22194	11-23-06
151.22	Postmasters of City/Rural Delivery Offices	revised to clarify certain duties assigned to postmasters.	22325	12-1-11
		revised to reflect updated policy for Stamps by Mail service.	22194	11-23-06
151.31	PS Form 3227	revised to reflect new title “General” and updated policy for Stamps by Mail service.	22194	11-23-06
151.32	Clerical Downtime	revised to reflect new title and updated policy for Stamps by Mail service.	22194	11-23-06
151.321 through 151.326	General	deleted.	22194	11-23-06
151.33	Centralized Fulfillment Locations	added.	22194	11-23-06
151.34	Order Filling Clerks	added.	22194	11-23-06
151.35	Registry Unit	added.	22194	11-23-06
151.36	Receiving Delivery Unit	added.	22194	11-23-06
151.37	Undeliverable as Addressed Orders	added.	22194	11-23-06
151.38	Lost Orders	added.	22194	11-23-06
		revised to update procedures for lost orders.	22266	8-27-09
153	Stamps on Consignment	deleted		8-2-12

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154	Stamps by Automated Teller Machine	deleted		8-2-12
16	Consumer Services	updated to replace Customer Experience Measurement with Customer Insights; to replace Consumer and Industry Affairs with Office of Consumer Advocate; and add email as option for customer complaint contact and remove postcards as an option.	N/A	11-20-18
16	Consumer Services	updated to align with the standardized process for handling complaints from receipt to resolution, current business requirements, and the PMG's core strategy to improve the customer experience.	N/A	N/A
164	Responsibility	updated to replace eCC case with C360 service request.	N/A	6-30-20
164.1	Headquarters Management	updated to change management instruction number referenced in section.	N/A	4-30-2022
165	Procedure	updated to replace eCC case with C360 service request.	N/A	6-30-20
166	Complaint Escalation Process	updated to replace eCC case with C360 service request.	N/A	6-30-20
167	Customer Contact Guidelines	updated to replace eCC case with C360 service request.	N/AV	6-30-20
<b>Chapter 2, Philately</b>				
2	Philately	revised to reflect updated policy governing the release, sale, and discontinuance of postage stamps and postal stationery.	22155	5-26-05
212 through 212.4	Stamp and Stationery Subjects	revised to add new criteria for the selection of stamp subjects	n/a	10-20-11
212.2	Criteria for Eligibility	revised to update the criteria to determine the eligibility of subjects for commemoration on U.S. stamps and stationary.	n/a	10-15-20
212.2	Criteria for Eligibility	revised to update the criteria to determine the eligibility of subjects for commemoration on U.S. stamps and stationary.	22224	1-17-08
222.223	Minimum Purchase Requirements and Sales Limitations	revised to change dollar amount charged for the minimum purchase requirements for plate number blocks and marginal markings.	N/A	8-31-21
227	Guidelines for the Purchase and Sale of Local Commemorative Envelopes	added to provide guidelines for the local purchase and sale of commemorative envelopes.	22235	6-19-08



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23	Philatelic Postmarks	revised to remove policy about obliterated and add new policy about first day of sale postmarks, thematic postmarks, and philatelic centers.	22237	7-17-08
231.1	Definition	revised to delete “for collection purposes.”	22237	7-17-08
231.21	Publicity	updated to add information about the <i>Postal Bulletin</i> .	22237	7-17-08
231.23	Staffing Availability and Training	updated to give policy on staffing.	22237	7-17-08
231.31	Postmarks	revised to change “canceled” to “postmarked.”	22237	7-17-08
231.32	Special Attention	updated to add new procedure.	22237	7-17-08
231.34	Hand-Stamped Postmarks	updated to give new name of Handbook PO-230.	22237	7-17-08
231.35	Philatelic Covers	updated to add new procedure to avoid philatelic covers being postmarked in the mailstream.	22237	7-17-08
231.36	Defacing Philatelic Covers	revised to change terminology from “canceled” to “postmarked.”	22237	7-17-08
231.4	Hand-Back and Mail-Back Service	revised to update procedures.	22237	7-17-08
231.5	Permissible Postmarking Devices and Hand-Stamped Postmarking for Collectors	updated to add new policy and to replace exhibit 231.5 with new exhibit.	22237	7-17-08
Exhibit 231.5	Hand-Stamped Postmarks	revised to change to philatelic service postmark and seasonal postmark.	22285	5-20-10
			22287	6-17-10
		updated to replace item g.	22312	6-2-11
231.61	Date and Place of Postmarking	updated to add policy on philatelic postmarking services.	22237	7-17-08
231.62	Preparation Requirements	updated to remove “postal cards.”	22237	7-17-08
231.63	Special Materials on Which Postmarks May Be Requested	updated to revise items d and g.	22237	7-17-08
231.7 through 231.9	Holding the Mail	updated to add new policy.	22237	7-17-08
232 through 232.9	First Day of Issue	revised to provide new policy on first day of issue.	22237	7-17-08
233 through 236.4	First Day of Sale Postmark	updated to add new policy.	22237	7-17-08
236.1	Philatelic Service Postmarks	revised to remove the term “philatelic center postmark.”	22285	5-20-10

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236.1 through 236.24	Seasonal Postmarks	revised to update information about procedures for seasonal postmarks and to replace the term “philatelic center postmark” with Postmark America service.”	22312	6-2-11
236.52	National Events	revised to change the address for requests for national events.	22099	4-03-03
236.92	Special Requests	revised to change the approving authority for requests to retain special die-hub cancellations.	22099	4-03-03
Chapter 3, Collection Services — National Service Standards				
Chapter 3	Collection Service, National Service Standards	revised to simplify regulations by rearranging them in logical order and to add updates to operational changes.	22313	6-16-11
311	Applicability	revised to update the national service standards for the collection of mail.	22429	11-26-15
313.11	General	updated to add new section.		
313.12	Collection Location Standards			
313.13	Collection Schedule Standards			
313.21	At Postal Facilities			
313.22	Residential Collection Boxes			
313.23	Business Area Collection Boxes			
313.24	Business Area 5:00 P.M. or Later Boxes			
313.3	Exceptions to Mandated Service			
313.31	General			
313.32	Exception Documentation			
313.33	Exception for Removal			
313.4 through 313.52	Establishment of and Changes in Collection Box Schedules and Locations	deleted.	22431	12-24-15

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314.1	General	revised to update procedures.	22429	11-26-15
314.2	Manual Collection Tests			
314.3	Volume Density Tests			
315.2	Appearance			
315.3	Relocation Before Removal			
315.4	Immediate Removal			
316	Collection Schedule Decals			
317.1	General	updated to add four new sections.		
317.2	Standard	updated to add new section.		
317.3	Large			
317.4	Jumbo			
317.5	Motorist Mailchute (Snorkel) Boxes			
318	Priority Mail Express Collection Box			
318.1	Priority Mail Express Collection Boxes			
318.2	Rural and Contract delivery Service Boxes			
318.3	Number of Boxes			
312.2	Local Postmark Requests	revised to change the obsolete requirement for a lobby drop for local postmarks to an option.	22238	7-31-08
315.34	Business Area Collection Boxes	revised to clarify policy about not collecting business collection boxes with low Saturday volume.	22322	10-20-11
321	Ordinary Deposit of Mail	updated to revise title.		
321.1	Post Office Lobby	updated to add new section.		
321.2	Rural and Contract Delivery Service Boxes			
321.3	Vertical Improved Mail and Firm Mailrooms			
322.23 through 322.233	Collection Schedules	deleted.	22431	12-24-15
322.344	Widely Observed Holidays	updated to clarify procedures for advancing collections during the holidays.	22350	11-15-12
322.344	Widely Observed Holidays	added with text moved from old 323.43 that was deleted.	22322	10-20-11
323 through 323.42	Residential Collection Boxes	deleted.	22431	12-24-15
324 through 324.4	Business Area Collection Boxes	deleted	22431	12-24-15
325 through 325.4	Arterial Boxes Loacted on Major Traffic Thoroughfares	deleted.	22431	12-24-15

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325.4	Collection Schedules	revised to clarify that an Priority Mail Express shipment dropped in an Priority Mail Express collection box is a guaranteed product.	22237	7-17-08
326 through 326.3	Motorist Mailchute (Snorkel) Boxes	deleted.	22431	12-24-15
327 through 327.5	Priority Mail Express Collection Boxes	deleted.	22431	12-24-15
33	Mail Deposit and Collection	deleted.	22431	12-24-15
331 through 333.5	Collection Times	deleted.	22431	12-24-15
<b>Chapter 4, Mail Processing Procedures</b>				
439.1 (item d)	Definitions	revised to update the definition of Post Office discontinuances.	22325	12-1-11
439.45	Postal Facility Status Change	revised to add language used in Handbook PO-101, <i>Postal-Service Operated Retail Facility Discontinuance Guide</i> .	22325	12-1-11
439.51	General	revised to provide new mailing address for proposals sent to the Office of Address Management.	22361	4-18-13
443.32	Local Postmarking	revised to remove the obsolete requirement for a lobby drop for local postmarks.	22238	7-31-08
459	Dispatch and Routing Concepts	revised to simplify regulations by rearranging them in logical order and to add updates to operational changes.	22313	6-16-11
46	Plant Load Operations	added with text from 327 and numbered accordingly.	22313	6-16-11
491.523	Detention of Mail	revised to clarify the chain of reference for suspected abuse of franked mail privileges.	22273	12-3-09
492	Political Campaign Mail	updated references to PS Forms 3602, Publication 417, and Mailing Standards of the United States Postal Service, Domestic Mail Manual.	22186	8-03-06
492.74	Identification	revised to delete the 02 Congressional Primary and Runoff Dates table.	N/A	N/A
<b>Chapter 5, Mail Transportation</b>				
511	Objectives	updated to add two conditions related to policy.	N/A	11-30-18
511	Objectives	updated to delete the conditions previously specified.	N/A	3-1-15
512.11	Network Operations	updated to change to Network Operations.	N/A	3-1-15

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512.122	Manager of Distribution Networks	updated to add item d, information about contracting officer's role.	N/A	11-30-18
512.122	Managers of Distribution Networks	revised to define the responsibilities of the distribution networks.	N/A	3-1-15
512.2	Network Distribution Centers	added to include information about NDCs providing the master route file report.	N/A	11-30-18
531	Authorization	updated to add references to regulations for procuring transportation contracts.	N/A	11-30-18
531	Authorization	revised to include reference to the Supplying Principles and Practices.	N/A	3-1-15
531.11 through 531.14	Types of Service	added to include sections on types of highway transportation contracts.	N/A	11-30-18
532	Basic Service Records/ Regular Service Exception	added to include information about PS Forms 5398 and 5399 as documentation for transportation service.	N/A	11-30-18
532.1	General	updated to define transportation services contracts.	N/A	3-1-15
533.1	Contracting Officer	revised to change contracting officer to CO.	N/A	3-1-15
533.2	Administrative Official	updated to specify the role and duties of the administrative official.	N/A	3-1-15
534.3	Exceptional Service Types/Extra Trips	added to include policy for additional trips performed by a contractor.	N/A	11-30-18
535.1	PS Form 5500	updated to delete "SCF" before postmasters.	N/A	3-1-15
52	Air Transportation Service	revised to replace the terms <i>contractor</i> and <i>contractors</i> with the terms <i>supplier</i> and <i>suppliers</i> , respectively.	22117	12-11-03
53	Highway Contract Service	revised to replace the terms <i>contractor</i> and <i>contractors</i> with the terms <i>supplier</i> and <i>suppliers</i> , respectively.	22117	12-11-03
531	Authorization	revised to change the last sentence by replacing the first word ("Policies") and the verb "are" with "Procedural guidance" and the verb "is".	22110	9-04-03
532.1	General	revised to change the last sentence by deleting the last four words ("in sparsely populated areas").	22110	9-04-03
532.2	Regular	revised to reflect current practices in the administration of mail transportation contracts.	22117	12-11-03
536.2	Omitted Service Deductions	revised to reflect current practices in the administration of mail transportation contracts.	22117	12-11-03

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55	Water Route Service	revised to replace the terms <i>contractor</i> and <i>contractors</i> with the terms <i>supplier</i> and <i>suppliers</i> , respectively.	22117	12-11-03
556.2	Omitted Service Deductions	revised to reflect current practices in the administration of mail transportation contracts.	22117	12-11-03
574.32	General Uses	updated to change bulk mail centers to network distribution centers.	N/A	11-30-18
581.3	Private Mailer Usage	updated to change bulk mail centers to network distribution centers.	N/A	11-30-18
584.11	Primary Procedure	updated to change BMC to NDC.	N/A	11-30-18
584.75	Network Distribution Centers (NDCs)	updated to change bulk mail centers to network distribution centers.	N/A	11-30-18
585.1 through 588.6	Processing and Distribution Center and NDC Supply Plans	updated to change bulk mail centers to network distribution centers.	N/A	11-30-18
<b>Chapter 6, Delivery Services</b>				
612.12	Commercial Mail Receiving Agency	updated to add a reference to 131.3.	N/A	8-30-19
612.13	Procedures for Delivery to CMRA	updated to add a reference to 131.3.	N/A	8-30-19
612.13	Procedures for Delivery to CMRA	updated to reflect that the age requirement for minors is eliminated from PS Form 1583, <i>Application for Delivery of Mail Through Agent</i> .	22127	4-29-04
612.41	Delivery	revised to specify procedure and extend hold time for mail that is addressed to a deceased person and is not being picked up.	22105	6-26-03
617.1	Delivery in Multiple-Floor Buildings	revised to update the process of actual delivery in multiple-floor or multiple-unit buildings.	22445	7-7-16
617.22	Delivery to Other Than the Addressee or Mail Receptacle	revised to standardize the language and procedures for the Carrier Release Program.	22305	2-24-11
617.31	Someone Normally Available to Receive Parcel	revised to standardize the language and procedures for the Carrier Release Program.	22305	2-24-11
		revised to define ordinary parcels and to remove language about unnumbered Insured Mail parcels.	22211	7-19-07
617.32	No One Usually Available to Receive Parcels	revised to standardize the language and procedures for the Carrier Release Program.	22305	2-24-11

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617.33	Parcel Not Called For	revised to standardize the Notice Left operations for ordinary parcels, accountable mail, and other extra services mailpieces.	22189	9-14-06
617.34	Perishable Parcel	revised to standardize the Notice Left operations for ordinary parcels, accountable mail, and other extra services mailpieces.	22189	9-14-06
619.231	Customer Action	updated to add a reference to 131.3.	N/A	8-30-19
619.251	Procedure	revised to standardize the Notice Left operations for ordinary parcels, accountable mail, and other extra services mailpieces.	22189	9-14-06
619.252	Parcels and Accountable Mail	revised to standardize the Notice Left operations for ordinary parcels, accountable mail, and other extra services mailpieces.	22189	9-14-06
623.1	Suitable Receptacles	revised to update mail receptacle policy.	22426	10-15-15
623.22	Delivery to Mailbox Inside of a Screen or Storm Door	revised to update mail receptacle when storm door is entrance to house.	22426	10-15-15
623.5	Vacant Delivery Points	added new section about vacant delivery points.	22426	10-15-15
631	Modes of Delivery	revised policy related to modes of delivery.	22492	4-26-18
631.1	General	revised to make reference to 631.24	22426	10-15-15
		revised to permit USPS to direct the mode of delivery deemed necessary by the USPS to provide adequate and necessary service.	22334	4-5-12
631.2	Business Areas	revised to establish modes of delivery in preference for USPS in providing adequate and necessary services for business areas. Updated language to remove out-of-date references to equipment (Neighborhood Delivery Collection Box Units-NDCBU).	22334	4-5-12
631.2 through 631.23	Centralized Delivery	updated to re-order the sections that cover modes of delivery.	22456	12-8-16
631.2 through 631.244	Door Delivery	new sections added to provide policy on door delivery services.	22426	10-15-15
631.3	Business Areas	updated to state options for door delivery.	22426	10-15-15
631.31	General	revised to establish modes of delivery in preference for USPS in providing adequate and necessary services for residential areas.	22334	4-5-12

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631.32	Curbside Delivery	revised to permit curbside delivery where prior approval is authorized by USPS as opposed to previous practices of builder-directed curbside delivery.	22334	4-5-12
631.33	Sidewalk Delivery	revised to permit sidewalk delivery where prior approval is authorized by USPS as opposed to previous practices of builder-directed curbside delivery.	22334	4-5-12
631.4	Residential Housing (except Apartment Houses and Transient Mobile or Trailer Homes	revised to make reference to policy provided in part 615.	22426	10-15-15
631.41	Extension of Service Within an Existing Block	revised to allow for postmaster approval of exceptions after considering operational needs.	22334	4-5-12
631.43	Local Ordinances	revised to add broader language of where service may be available.	22334	4-5-12
631.441	Delivery Requirements	revised to change references to equipment and to clarify language about access to mailboxes for carriers and customers.	22334	4-5-12
631.442	Central Delivery Addresses	revised for clarity.	22334	4-5-12
631.451	General	revised to more narrowly define apartment houses and to remove ambiguous descriptions and to clarify USPS broad scope in defining its infrastructure.	22334	4-5-12
631.452	Exceptions	revised to more clearly define USPS ability to define infrastructure and direct services types it deems necessary to provide adequate and necessary service. More clearly defines USPS responsibility to coordinate with builders of apartment houses on changes.	22334	4-5-12
631.461	Options	revised to clarify USPS determination of permanency.	22334	4-5-12
631.462 and 631.463	Permanent Developments	revised to clarify re-ordering modes of delivery without removing any from use; to clarify that curbside mailboxes may be grouped two to a property line; to add terminology "short-term" with seasonal; and to add language to reinforce current obligation of property management for final distribution of mail where necessary.	22334	4-5-12
631.51	Administration Buildings	revised to more clearly define administration buildings.	22334	4-5-12



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631.51	Extension of Service Within an Existing Block	updated to include new policy about extension of service.	22426	10-15-15
631.52	Dormitories or Residence Halls	revised to clarify and further describe student housing reflected in today's environments and building of student housing and to more clearly articulate USPS and property management and school administrators responsibility once the USPS has determined what is needed to provide adequate and necessary service.	22334	4-5-12
631.52	Hardship Cases	revised with the addition of item e.	22426	10-15-15
631.53	Local Ordinances	updated to change reference to 631.23.	22426	10-15-15
631.53	Married Student Housing	revised to more fully describe physical surrounding in student housing.	22334	4-5-12
631.542	Exceptions	updated to change reference to 631.941.	22426	10-15-15
631.552	Permanent Developments	updated to add reference to part 631.	22426	10-15-15
631.56	Forwarding of Mail	revised for clarity.	22334	4-5-12
631.57	Noncity Delivery Offices	revised to remove rent from phrase and replace with obtain as it applies to PO Box service.	22334	4-5-12
631.6	Conversion of Delivery Mode	revised to provide clarity where agreements are sought prior to converting modes of delivery.	22334	4-5-12
631.62	Dormitories or Residence Halls	updated policies for mail delivered to dormitories and residence halls.	N/A	4-30-2022
631.63	Married Student Housing	updated to add reference to 631.54	22426	10-15-15
631.7	Conversion of Mode of Delivery	updated policy about delivery to mixed use delivery area.	22426	10-15-15
631.81	General	updated to change number of days for advance notice.	22426	10-15-15
		updated to include information on improper delivery times.	N/A	4-30-2022
631.82	Refusal by Customer	updated with new section.	22426	10-15-15
632.11	Responsibilities	revised to include updated language and citing USPS standards describing USPS-approved equipment and its use and to clarify USPS limits on approval authority for nonapproved equipment to enhance customer/ employee safety.	22334	4-5-12
		updated items a, b, and c.	22426	10-15-15
		updated the references in items b and c.	22445	7-7-16

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632.12	Exception	revised for clarity.	22334	4-5-12
632.13	Receptacles Not Required	revised to provide for exceptions of door slot delivery vs. the default of single point delivery.	22334	4-5-12
		updated policy on when mail receptacles are required.	22426	10-15-15
632.21	General	updated to add a new heading.	22426	10-15-15
632.22	Locks and Keys	updated to add new section about keys and locks.	22426	10-15-15
632.61	General	revised to include updated language and to give USPS standards describing USPS approved equipment and its use.	22334	4-5-12
632.62 through 632.63	Installation	revised to include the term multi-unit dwelling; to more clearly illustrate what buildings may use USPS-approved equipment and the need for equipment maintenance; and to clarify locations of equipment and need for USPS approval and cooperation with buildings management on locations and equipment type to sustain necessary and adequate service, security, and customer access.	22334	4-5-12
632.622	Location and Arrangement	revised to update the process of actual delivery in multiple-floor or multiple-unit buildings.	22445	7-7-16
		revised to change number of parcel locker to one for every five customer mail compartments.	N/A	7-31-20
641.2	Requirements	updated to reduce the percentage of building lots improved with houses or places of business necessary to establish city delivery from 50 percent to 10 percent	22306	3-10-11
		revised to clarify USPS approval of locations for door slots or mail receptacles.	22334	4-5-12
642.2	Requirements	revised to include updated language and citing USPS standards for CBU's.	22334	4-5-12
642.3	Out-of-bounds Customers	revised to clarify USPS approval of locations of mail receptacles along the carrier line of travel.	22334	4-5-12
644 through 644.2	Conversions	deleted	22204	4-12-07
646	Management	revised to incorporate pivoting language.	22124	3-18-04
652.421	Review and Approval	revised for clarity.	22334	4-5-12

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653.1	Definition	revised the note to include updated language and to give USPS standards for CBU's.	22334	4-5-12
665	Postmaster Duties	revised to clarify certain duties of postmasters.	22305	12-1-11
674	Priority Mail Express Next Day Service	revised to update the policy and procedures for Priority Mail Express Next Day Service.	22234	6-5-08
674.2	Post Office to Addressee Service	revised to update the standards for Priority Mail Express and return receipt requested items with Waiver of Signature requested.	22239	8-14-08
681.53	Nonmailable and Nonstandard Pieces	revised to state that nonmailable and nonstandard pieces are forwarded, returned, or referred to the Inspection Service as applicable under 138 and 139.	22584	11-4-21
681.81	General Provisions	revised to add a reference to 138 and 139 for nonmailable matter.	22584	11-4-21
682.3	Additional Postage for Forwarding	revised to change <i>Delivery Confirmation</i> to <i>Confirmation Services</i> .	22100	4-17-03
682.4	Directory Service	revised to change <i>Delivery Confirmation</i> to <i>Confirmation Services</i> .	22100	4-17-03
683.23	Registered, Certified, Insured, COD, Return Receipt for Merchandise, and Confirmation Services Mail	revised to change <i>Delivery Confirmation</i> to <i>Confirmation Services</i> .	22100	4-17-03
683.24	Priority Mail Express Items	revised to add <i>Items</i> to the title.	22100	4-17-03
683.25	Return of Priority Mail Express and Registered, Numbered Insured, COD, Certified, Return Receipt for Merchandise, and Confirmation Services Mail	revised to change <i>Delivery Confirmation</i> to <i>Confirmation Services</i> .	22100	4-17-03
683.26	Other Mail	revised to include Confirmation Services mail among the kinds of mail being discussed.	22100	4-17-03
691.1	Definition	revised to state that matter is nonmailable and subject to 139.117.	22584	11-4-21
691.2	Opening and Examination	revised to update information on mail processed at the Mail Recovery Center.	N/A	8-31-21
		revised to add reference to the ASM.	22428	11-12-15
		revised to update standards for treatment of unidentified items.	22277	1-28-10

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691.31	Holding Period	revised to update standards for treatment of unidentified items.	22277	1-28-10
691.45	Unidentified Items	revised to allow the Postal Service to be a better environmental neighbor and reduce waste costs.	22088	10-31-02
		revised to update standards for treatment of unidentified items.	22277	1-28-10
691.522	Noninjurious Items	revised to update item b.	22428	11-12-15
		revised to allow the Postal Service to be a better environmental neighbor and reduce waste costs.	22088	10-31-02
691.53	Institutions	revised to allow the Postal Service to be a better environmental neighbor and reduce waste costs.	22088	10-31-02
691.531	Food	revised to include a reference to PS Form 6011.	22182	6-8-06
691.582	Priority Mail Express	revised to reflect a change in procedure related to the disposition of undeliverable Priority Mail Express items.	22245	11-6-08
691.584	Abandoned or Unclaimed Nonmailable Matter – Inspection Service	added to provide procedures about abandoned or unclaimed nonmailable mail.	22428	11-12-15
691.592	Makeup	revised to clarify processes and procedures at the Mail Recover Center.	22352	12-13-12
691.593	Labeling and Addressing for Dispatch	revised to clarify processes and procedures at the Mail Recover Center.	22352	12-13-12
691.595	MRC Search	revised to clarify processes and procedures at the Mail Recover Center.	22352	12-13-12
692	Mail Recovery Centers	revised to update MRCs and to restructure sections.	22248	12-18-08
692.11	Addresses	revised to update the addresses for administrative and undeliverable mail processing.	22082	8-8-02
		revised to update the list of MRC service areas.	22082	8-8-02
		revised to update standards for treatment of unidentified items.	22277	1-28-10

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692.12	Opening Letters	revised to clarify procedures at the Mail Recovery Center.	N/A	08-31-21
	MRC Service Areas	deleted	22277	1-28-10
		revised to clarify processes and procedures at the Mail Recover Center.	22352	12-13-12
		revised to reflect a change in Mail Recovery Center service areas.	22215	9-13-07
		revised to correct three of the ZIP Codes in the list of MRC service areas.	22083	8-22-02
692.14	Opening Parcels	revised to clarify processes and procedures at the Mail Recover Center.	22352	12-13-12
692.16	Books and Sound Recordings	deleted	22277	1-28-10
692.17	Postal Service Employee Ineligibility	revised to clarify that Postal Service employees may not directly or indirectly buy any dead mail material.	22343	8-9-12
692.2	Postal Inspection or Office of Inspector General Use	revised to clarify processes and procedures at the Mail Recover Center.	22352	12-13-12
692.22	Addresses	revised to update the addresses for parcel mail.	22088	10-31-02
692.23	Service Areas	revised to reflect a change in Mail Recovery Center service areas.	22215	9-13-07
		revised to update the service areas for parcel mail.	22088	10-31-02
692.25	Books and Sound Recording	updated to reflect new DMM references and change Business Mail Acceptance manager to Business Mail entry manager.	22195	12-7-06
692.3	Postal Service Systems and Training Use	revised to clarify processes and procedures at the Mail Recover Center.	22352	12-13-12
<b>Chapter 7, Postal Vehicle Service</b>				
711.1 through 711.3	Scope of Material	added to describe what the chapter and fleet operations encompasses.	N/A	11-30-18
712.2	Fleet Maintenance	added to describe fleet maintenance.	N/A	11-30-18
713 through 716.4	Vehicles Used by USPS	added to describe types of vehicles used by USPS	N/A	11-30-18
72 through 726	Responsibilities	updated with new sections that address responsibilities, drivers and driving requirements, driver licensing, driving rules, and driver's training.	N/A	11-30-18

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731 through 731.13	Vehicle Operations/ Requests for Vehicles	updated with new sections added that address types of vehicles in service.	N/A	11-30-18
732.1	Postal Vehicle Service Versus Highway Contract Service	added to state postal vehicle service and contract service.	N/A	11-30-18
735	Vehicle Reassignment and Disposal	revised to reflect updated policy and procedures for vehicle disposal.	22106	7-10-03
734 through 743.2	Inspections and Reports	updated to add new sections about vehicle dispatching; inspections and reports; accident investigation; equipment, supplies, and fuel; vehicle maintenance; vehicles serviced; types of maintenance; and policies and practices.	N/A	11-30-18
<b>Chapter 8, Special Services</b>				
811.1	General	updated with the term Priority Mail Express.	N/A	2-1-16
		revised to reflect changes in the R-06 rate case.	22217	10-11-07
811.4	Retrieval of Delivery Records	updated with information on retention of delivery records.	N/A	2-1-16
		revised to reflect changes in the R-06 rate case.	22217	10-11-07
811.5	Forms of Identification	added to include a reference to 131.3.	N/A	8-30-18
812.1	Fees and Liability	updated with reference to Notice 123.	N/A	2-1-16
		revised to update the DMM reference.	22217	10-11-07
		updated to add new DMM reference.	22193	11-9-06
812.21	Value	revised to reflect changes in the R-06 rate case.	22217	10-11-07
		revised to reflect changes in the R-06 rate case.	22217	10-11-07
812.264	Indemnity	updated with new DMM reference.	N/A	2-1-16
		updated to add new DMM reference.	22193	11-9-06
812.42	Notice of Arrival	revised to standardize the Notice Left operations for ordinary parcels, accountable mail, and other extra services mailpieces.	22189	9-14-06
812.43	Registered Mail	updated with addition of Registered Mail.	N/A	2-1-16
812.51	Who May File	updated with procedures for claims.	N/A	2-1-16
		updated to add new DMM reference.	22193	11-9-06

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812.521	Original Inquiry	updated with inquiry information.	N/A	2-1-16
812.522	Duplicate Inquiry	updated with removal of use of PS Form 1000.	N/A	2-1-16
813.1	How to Mail	updated with revised items b, c, and f.	N/A	2-1-16
813.21	Procedure	updated with addition of Notice 123.	N/A	2-1-16
813.33	Delivery to Military Installations	revised to reflect changes in the R-06 rate case.	22217	10-11-07
813.41	Individual Mailings	updated with revised item b.	N/A	2-1-16
814.21	General Provisions	updated with insured dollar amount.	N/A	2-1-16
		revised to reflect changes in the R-06 rate case.	22217	10-11-07
815.217	Handling Collection of Charges	updated to include electronic funds transfer.	N/A	2-1-16
815.22	Collection of Charges	updated to add a reference to 131.3	N/A	8-30-19
815.22	Collection of Charges	updated with addition of electronic funds transfer.	N/A	2-1-16
815.5	Priority Mail Express	updated to Priority Mail Express.	N/A	2-1-16
816.1	How to Mail	updated with revised options for deliver confirmation service.	N/A	2-1-16
816.21	Procedure	revised with addition of USPS Tracking.	N/A	2-1-16
816.22	Rural Delivery		N/A	2-1-16
816.23	Highway Contract Route Delivery		N/A	2-1-16
816.24	Delivery Status	revised to 45 days for delivery status information.	N/A	2-1-16
816.25	Notice of Arrival	revised with addition of USPS Tracking.	N/A	2-1-16
816.26	Delivery at Post Office		N/A	2-1-16
816.31	Assignment		N/A	2-1-16
816.32	Delivery to Military Installations		N/A	2-1-16
816.33	Undeliverable		N/A	2-1-16
816.41	Retail Customers		N/A	2-1-16
816.42	Large-Volume Mailings		N/A	2-1-16
817.11	Service Options	updated to add Signature Confirmation Restricted Delivery.	N/A	2-1-16
817.12	Signature Waiver Option	deleted.	22217	10-11-07
817.21	Procedure	revised to update the standards for Priority Mail Express and return receipt requested items with Waiver of Signature requested.	22239	8-14-08
817.25	Notice of Arrival	updated to add new DMM reference.	N/A	2-1-16
821.111	Mailer Preparation	revised to include POS acceptance process.	N/A	2-1-16

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821.12	After Mailing	updated to add reference to PS Form 3817.	N/A	2-1-206
822.111	Delivering Employee	revised to add the word "barcoded".	N/A	2-1-16
823.42	Identification	updated to add a reference to 131.3.	N/A	8-30-19
824.73	Delivery to Military Installations	revised to add insured dollar amount.	N/A	2-1-16
824.81	Individual Mailings	updated to add PS Form 3804.	N/A	2-1-16
825.4	Reference	updated to add new DMM reference.	N/A	2-1-16
826	Change-of-Address Orders	updated with deletion of telephone change of address.	N/A	2-1-16
		revised to add information on options for filing a change of address order.	22234	6-5-08
826.2	Split Forwarding Policy	deleted.	22234	6-5-08
831.15	Inoperable Imprinter Procedures	updated to change to Priority Mail Express.	N/A	2-1-16
831.25	Issuance to Highway Contract Route Customers	revised to update form used for receipt of funds.	22266	8-27-09
831.32	Procedures	revised to allow the box customer or other persons listed on PS Form 1093, <i>Application for Post Office Box or Caller Service</i> , for a Residential Group E Post Office box to file an individual change-of-address order.	22212	8-2-07
	Surrendered Boxes	revised to update the procedures for spoiled or incorrectly prepared money orders.	22081	7-25-02
832.2	Identification of Payee	updated to add a reference to 131.3.	N/A	8-30-19
841.122	Verification	updated to reflect that the age requirement for minors is eliminated from PS Form 1093, <i>Application for Delivery of Mail Through Agent</i> .	22127	4-29-04
841.22	Verification	updated to add a reference to 131.3.	N/A	8-30-19
841.31	Calculation of Amount	revised to reflect change in procedures for refunding an unused portion of fee for Post Office box service.	22151	3-31-05
841.33	Boxes Not Surrendered	revised to allow the box customer or other persons listed on PS Form 1093, <i>Application for Post Office Box or Caller Service</i> , for a Residential Group E Post Office box to file an individual change-of-address order.	22212	8-2-07



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841.41	Fee	revised to update information about fees for Post Office boxes.	N/A	4-30-19
841.46	Refund of Key Fee	revised to eliminate the limit of two keys for which a customer can receive a deposit refund.	22118	12-25-03
841.63	Verification	updated to add reference to Notice 123.	N/A	2-1-16
841.71 through 841.751	Standards — PO Box Service	revised to update standards and conditions of PO Box service.	22289	7-15-10
841.751	Standard Procedure for Facilities Without a Central Mark-Up System	renumbered as 841.752.	22212	8-2-07
	Who May File	revised to allow the box customer or other persons listed on PS Form 1093, <i>Application for Post Office Box or Caller Service</i> , for a Residential Group E Post Office box to file an individual change-of-address order.	22212	8-2-07
841.752	Flag Boxes	renumbered as 841.753.	22212	8-2-07
841.753	Who May File	renumber as 841.751.	22212	8-2-07
841.76	Vacant Boxes	revised to change wording of “rates” to “prices” and update DMM reference.	N/A	2-1-16
841.82	Termination of Service	revised to update criteria for closing a PO Box.	22289	7-15-10
841.832	Content	revised to reflect new procedures for handling appeals from denial of Post Office box service or termination of Post Office box service.	22189	9-14-06
841.841	Procedure	revised to reflect new procedures for handling appeals from denial of Post Office box service or termination of Post Office box service.	22189	9-14-06
841.842	Effective Date	revised to reflect new procedures for handling appeals from denial of Post Office box service or termination of Post Office box service.	22189	9-14-06
841.85	Surrender of Service	deleted.	22212	8-2-07
841.86	Mail Addressed to Closed Box	renumbered as 841.85.	22212	8-2-07
842.112	Group 2 Noncity Delivery	revised to update DMM references.	N/A	2-1-16
842.116	Permitted Uses	revised to update DMM references.	N/A	2-1-16
842.122	Verification of Application for Destination Caller Service	updated to add a reference to 131.3.	N/A	8-30-19
842.241	Discontinued Number	revised to update DMM references.	N/A	

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842.41	Refusal to Provide Service	revised to update DMM references.	N/A	2-1-16
842.432	Content	revised to reflect new procedures for handling appeals from denial of Post Office box service or termination of Post Office box service.	22189	9-14-06
842.441	Procedure	revised to reflect new procedures for handling appeals from denial of Post Office box service or termination of Post Office box service.	22189	9-14-06
842.442	Effective Date	revised to delete Chief Counsel reference.	N/A	2-1-16
		revised to reflect new procedures for handling appeals from denial of Post Office box service or termination of Post Office box service.	22189	9-14-06
843.1	Delivery	revised to update policy about general delivery for persons with no fixed address.	22375	10-31-13
843.2	Retention	revised to add reference to the Domestic Mail Manual.	22375	10-31-13
		revised to standardize the Notice Left operations for ordinary parcels, accountable mail, and other extra services mailpieces.	22189	9-14-06
845	Firm Holdout	revised to update DMM reference.	N/A	2-1-16
<b>Forms Index</b>				
1096	Receipt	revised to delete sections that reference this form.	22266	8-27-09



## Postal Operations Manual

Issue 9

July 2002

The Postal Service's Transformation Plan serves as a blueprint to the activities we are pursuing to enable us to carry out our long-standing mission of providing affordable, universal service to the people of America. Many of the subjects covered in the *Postal Operations Manual* are also the subject of strategies discussed in the Transformation Plan. It is more important than ever that each of us be aware of the latest policies, regulations, and procedures that affect postal operations so that we can effectively implement the elements of the Transformation Plan. This latest revision of the *Postal Operations Manual* will help you do that.

- A. Purpose.** The *Postal Operations Manual* (POM) sets forth the policies, regulations, and procedures of the Postal Service governing retail, philatelic, collection, mail processing, transportation, delivery, and vehicle operations.
- B. Explanation.** Issue 9 is a complete revision. It replaces Issue 8 and contains all of the revisions to the manual published in the *Postal Bulletin* from July 30, 1998, through July 11, 02. In addition, new language has been added where appropriate. Recycle Issue 8.
- C. Summary of Changes and Change Bars.** The Summary of Changes contains a description of the changes made to the manual since Issue 8. A change bar (a vertical line in the margin) signals that the adjacent text has been revised.
- D. Forms Index.** In the Forms Index, each form mentioned in the manual is cross-referenced to each section that contains a reference to that form. By using the Forms Index, if you know the title or number of a form, you will be able to find each section of the manual that contains a reference to that form.
- E. Distribution.** This revision is being distributed to all Postal Service facilities. If you need additional copies, please use the following procedures:
  - **Touch Tone Order Entry (TTOE):** Call 800-332-0317, choose option 1, then option 2.
  - You must be registered to use TTOE. To register, call 800-332-0317, choose option 8, extension 2925, and follow the prompts to leave a message (wait 48 hours after registering before you place your first order).
  - **E-mail:** Complete PS Form 7380, *MDC Supply Requisition* (manually or by F3Fill), and send it as an attachment to the e-mail address *MDC Customer Service* or to [mcustome@email.usps.gov](mailto:mcustome@email.usps.gov).
  - **Mail:** Mail a completed PS Form 7380 to the MDC at the following address:  
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TOPEKA KS 66624-9702

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TELEPHONE: 800-332-0317

**G. Comments and Questions.** If you cannot find or do not understand certain material or discover that topics were omitted, send a memorandum outlining the problem through management channels to:

ATTN POSTAL OPERATIONS MANUAL  
POLICIES AND PROCEDURES INFORMATION  
US POSTAL SERVICE  
475 L'ENFANT PLAZA SW RM 5540  
WASHINGTON DC 20260-5540

**H. Effective Date.** This manual is effective July 02.



*Azeezaly S. Jaffer*  
*Vice President*  
*Public Affairs and Communications*

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# 1 Retail Management

## 11 Introduction

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The mission of the United States Postal Service is to provide quality products and services at a reasonable cost. Most retail products and services are purchased at postal facilities. In the past, that has meant local Post Offices. Today, however, there are a variety of innovative channels for selling Postal Service products and services. This chapter outlines the basic types of retail Postal Service outlets and purchasing methods. It also provides an overview of services, from accepting mail at retail service counters to providing temporary philatelic stations at first-day-of-issue stamp ceremonies.

## 12 Retail Facility Management

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### 121 Retail Analysis Program (RAP)

#### 121.1 Purpose and Scope

The Retail Analysis Program (RAP) is the primary method for determining the staffing of postal retail facilities. It is an operations research and marketing tool that helps local managers make better decisions regarding staffing of postal retail outlets to meet customer needs. Requests to Area Operations management for approval of retail facility establishments, relocations, expansions, consolidations, or discontinuances must be based on data developed from RAP surveys.

#### 121.2 Responsibilities

##### 121.21 Headquarters

Retail Operations, Marketing and Operations Systems Support, Operations Support, Headquarters, develops and refines the retail analysis methods and supports implementation in the field by providing technical support.

##### 121.22 Areas

Area RAP managers develop area programs, approve and coordinate implementation, and monitor results.

**121.23 Districts****121.231 District Manager, Customer Service and Sales**

Each district manager, Customer Service and Sales, has the following responsibilities:

- a. Designates and supports a knowledgeable member of the supervisory staff as the district coordinator. Larger Post Offices within the district may require their own coordinator.
- b. Reviews the progress and results of local surveys and is responsible for their success.

**121.232 District Coordinator**

District coordinators manage the RAP surveys for their areas. Coordinators ensure that data are gathered, processed, analyzed, and presented to management. Coordinators supervise the development of local implementation plans and may also help to implement them.

**121.3 RAP Surveys****121.31 General**

All district surveys are conducted on a full district basis; that is, all Post Offices within the district are included in the survey. Each district must perform the following tasks:

- a. Conduct a full RAP survey at least once every 5 years. A full RAP survey covers all areas of postal service as listed in [Exhibit 121.31](#).
- b. Conduct scheduling and staffing surveys (that is, survey of retail transactions) in all Management Operating Data System (MODS) I and II offices at least once every 2 years.
- c. Conduct RAP surveys more frequently on an as-needed basis where there has been a significant change that affects revenues, workload, and/or customers (such as establishment of a contract postal unit in the service area).

**Note:** Some regions of the country may require more frequent surveys because of growth or decline in population.

## Exhibit 121.31

**RAP Surveys and Reports**

<b>Survey</b>	<b>Purpose</b>	<b>Reports</b>
Retail Service Counter Transactions	To relate staff utilization to workload, adequacy of service, and feasibility of self-service equipment.	1. Queuing analysis. 2. Service evaluation. 3. Product mix.
Customer Origin and Destination	To determine the proper location of retail outlets.	Maps showing shopping patterns of postal customers.
Post Office Boxes	To determine the need and locations for Post Office boxes.	Maps showing where customers open and process their mail.
Meter Customers	To determine meter demand in high density areas.	Maps showing meter holder locations and meter setting frequencies.
Vending Equipment	To determine if vending equipment is in the best location for the benefit of customers.	Maps showing areas customers travel from to use vending equipment.
Customer Attitude	To find out what customers think of the service they receive.	Tabulations of clerk courtesy, housekeeping efficiency, and aspects of service viewed by customers.
Projections of 5-Year Growth	To help plan for future growth.	Maps of projected demand.

121.32 **Survey Steps**121.321 **General**

The steps involved in conducting a RAP survey are as follows:

- a. Determine survey plan (timetable).
- b. Collect data.
- c. Prepare and process data.
- d. Analyze data.
- e. Recommend where retail facilities should be located.
- f. Determine projected savings.
- g. Determine projected revenue.

121.322 **Determine Survey Plan**

District management determines survey priorities that depend on immediate needs, and the district coordinator develops a timetable based on these priority decisions. The timetable, when approved, serves as the district survey plan.

When the district survey plan (timetable) has been developed and approved, local postmasters describe the intended surveys and their purposes to the press and other media in accordance with applicable regulations governing such announcements (see *Administrative Support Manual (ASM)* 33).

**121.323 Collect Data**

A profile of each Post Office, station, and branch is determined from the existing Post Office and community records. This information includes population served, revenue (meter, bulk mailings, and walk-in), the number of Post Office boxes assigned, and other pertinent data. Data on population growth trends, building and construction permits, and so forth are obtained from local municipal and governmental authorities. Official maps for locating customer demand and postal facilities are obtained from the U.S. Geological Survey. This information is used to identify facility sites.

**121.324 Prepare and Process Data**

See [Exhibit 121.31](#), which identifies the various RAP surveys, their purposes, and the reports resulting from each.

**121.325 Analyze Data**

Two major analyses are conducted in a RAP survey:

- a. One analysis uses data on customer shopping patterns and future growth both to support planning for the retail outlets that will meet future customer needs and to adjust the current retail network to improve its effectiveness.
- b. The other model uses data on the transactions conducted at each retail facility to assess retail service counter scheduling and staffing requirements.

**121.326 Make Recommendations**

Generally, the recommendations are made to district and Post Office management in two major presentations — one on facility deployment and the other on scheduling and staffing.

- a. *Deployment.* RAP surveys show where facilities are needed to meet customer demand. RAP lets local managers begin actions to establish, close, consolidate, relocate, or enlarge postal retail facilities.
- b. *Staffing.* RAP surveys may indicate the need for additional personnel, or the need for a reduction in workhours in certain facilities. Local managers should take appropriate action in accordance with Handbook EL-901, *Agreement Between United States Postal Service and American Postal Workers Union, AFL-CIO, and National Association of Letter Carriers, AFL-CIO (1994–1998)*.

**122 Types of Retail Facilities**

The Postal Service operates numerous types of retail facilities. Part [123](#) contains the definitions of each type of facility and the procedures for their establishment, naming, and discontinuance.



## 123 **Post Offices, Stations, Branches, Contract Postal Units, and Nonpersonnel Units**

### 123.1 **Definitions and Classification**

#### 123.11 **Post Offices**

Post Offices are established and maintained at locations deemed necessary to ensure that regular and effective postal services are available to all customers served by named geographic places. As of October 1 of each year, Post Offices are categorized through a cost ascertainment grouping (CAG) process based on allowable postal revenue units for the second proceeding fiscal year as follows:

- a. CAG A–G, Post Offices having 950 or more revenue units.
- b. CAG H–J, Post Offices having at least 190 but fewer than 950 revenue units.
- c. CAG K, Post Offices having at least 36 but fewer than 190 revenue units.
- d. CAG L, Post Offices having fewer than 36 revenue units.

A Remotely Managed Post Office (RMPO) is a Post Office that offers part-time window service hours, is staffed by a Postal Service employee under the direction of a postmaster, and reports to an Administrative Post Office. A Part-Time Post Office (PTPO) is a Post Office that offers part-time window service hours, is staffed by a Postal Service employee, and reports to a district office. Unless otherwise specified, all references to “Post Office” include RMPOs and PTPOs.

#### 123.12 **Other Retail Units**

##### 123.121 **General**

Stations, branches, contract postal units (CPUs), and nonpersonnel units are subordinate units located within main Post Offices’ service areas to provide one or more services at sites more convenient to customers.

##### 123.122 **Post Offices**

*Post Offices* are offices operated by postal employees.

##### 123.123 **Classified Units**

*Classified units* are stations and branches operated by postal employees in quarters owned or leased by the Postal Service.

##### 123.124 **Stations**

*Stations* are located within the corporate limits or city carrier delivery area of the city or town in which the Administrative Post Office is located.

##### 123.125 **Branches**

*Branches* are located outside the corporate limits or city carrier delivery area of the city or town in which the Administrative Post Office is located.

##### 123.126 **Contract Postal Units**

*Contract postal units* (CPUs) are stations, branches, and community Post Offices (CPOs) operated under contract by persons who are not postal employees. The quarters are provided by the contractor. Contracts to

operate contract units provide that the contractor will transact specified postal business.

#### 123.127 **Community Post Offices**

*Community Post Offices* (CPOs) are contract units that provide service in small communities where an independent Post Office has been discontinued. A CPO bears its community's name and ZIP Code™ as part of a recognized mailing address.

#### 123.128 **Nonpersonnel Units**

*Nonpersonnel units* are small nonstaffed stations and branches that are serviced by a noncity delivery carrier. The contractor also furnishes custodial and security support. A nonpersonnel unit provides essential mail services such as the collection and delivery of mail and may provide self-service sale of stamps. Noncity delivery carriers, who are required to remain at nonpersonnel units for a minimum of 15 minutes each day their routes operate, provide other services such as the sale of Money Orders and the acceptance and delivery of Certified Mail®, Insured Mail, Registered Mail™, Delivery Confirmation™, and COD Mail, and all other special services.

#### 123.129 **Village Post Offices**

Village Post Offices are operated by local businesses, and offer stamp booklets and Priority Mail® Flat Rate packages and envelopes.

#### 123.13 **Military Post Offices**

##### 123.131 **Description**

A *military Post Office* (MPO) is a branch of a United States civil Post Office, operated by the Army, Navy, Air Force, or Marine Corps to serve military personnel aboard ships or overseas. The term includes Army and Air Force Post Offices (APOs) and Navy and Marine Corps Post Offices (FPOs). MPOs provide postal service for military personnel where the United States civil Postal Service does not operate and in other places where the military situation requires.

##### 123.132 **Establishment and Discontinuance**

A military Post Office is established or discontinued only upon request of the military department by which it is operated. These units are authorized and discontinued by the Postal Service, and changes are published in the *Postal Bulletin*.

#### 123.2 **Establishment**

##### 123.21 **General**

Post Offices, stations, branches, and contract postal units are established and maintained for the convenience of postal customers and are operational as needed.

##### 123.22 **Post Offices**

Although there is no fixed minimum population requirement for establishing a Post Office, new Post Offices are established only when the Postal Service cannot provide adequate service through the Post Offices, stations, branches, or CPUs currently serving the area; through a new station, branch,

or CPU; or by an extension of city, rural, or highway contract delivery. Post Offices are not established solely for community identity. New offices must be recommended by the vice president, Area Operations, for final approval by the chief marketing/sales officer.

123.23 **Classified Units**

Vice presidents, Area Operations, or their designees have the authority to approve the establishment of classified stations and branches where needed within the service areas of Post Offices.

123.24 **Contract Units**

123.241 **Authority**

Vice presidents, Area Operations, or their designees have the authority to establish contract units; however, approval authority may not be delegated below the district manager level.

123.242 **Requirements**

Postmasters or installation managers identify the need and request approval to solicit contracts, evaluate business proposals submitted by offices, and supervise performance under any contracts.

123.243 **Purchasing**

Purchasing and material service centers (P&MSCs) solicit offers and award contracts for contract postal units. All contracts are awarded through negotiation and are for an indefinite period.

123.244 **Bonds**

Generally, contract postal unit bonds are required before a postal unit contract may be awarded, but in certain circumstances the contracting officer may waive this requirement.

123.245 **Payment**

Upon contract award of the contract postal unit, the contracting officer must send a completed Contract Unit Payment Authorization (see [Exhibit 123.245](#)) to the St. Louis Accounting Service Center, which will issue payments to the contractor.

Exhibit 123.245

**Payment Authorization**

<b>U.S. Postal Service Contract Unit Payment Authorization</b>		
1.	Contract Number:	
2.	a. Issued by:	
	U.S. Postal Service	b. ACO Code:
		c. For Information Call:
3.	Performance Requirements:	
	a. Administrative Post Office:	b. COR Name:
		c. Telephone:
4.	a. Payee/Owner:	
		b. Contract Name:
		c. Telephone:
		d. TIN:
		e. Parent TIN:
5.	Accounts Payable Data: (Completed by Contracting Office)	
	Type of Action:	Unit Designation:
	Budgetary Finance No:	Begin Date:
	Account No: 52301	End Date:
	Total Hours of Operation per Week:	(Not) Minimum Wage
	Annual Rate:	
	Days of Operation per Week:	
	Hours of Operation each Day:	
	Contract Unit Name:	Location:
	Remarks:	
<b>Completed by Accounting Service Center</b>		
	FAC S Loc _____	VDF Code _____
6.	Signature of U.S. Postal Service Contracting Officer:	
	Signature _____	Name _____
		Date Submitted _____
<p>This document may be issued at the time of award or later with a modification, if necessary, to inform the Accounting Service Center that operations have begun. The original document should be mailed to the Accounting Service Center, U.S. Postal Service, Attn: Rent and Lease Section, P.O. Box 80103, St. Louis, MO 63180-0103. Copies should be placed in the Contract File and mailed to the COR.</p>		

### 123.3 **Location of Postal Units**

#### 123.31 **General**

The specific site for a new or relocated facility providing retail services to the public is determined, to the extent possible, through community current and projected needs and the RAP Facilities Deployment and Staffing Survey. The Customer Service Support manager at the district level should recommend location based on customer accessibility and convenience.

#### 123.32 **Prohibited Locations**

Postal units may not be located in, or directly connected to, a room in which intoxicating beverages are sold for consumption on the premises.

### 123.4 **Names and ZIP Code Assignments and Changes**

#### 123.41 **Postal Service–Operated Retail Facility Names**

##### 123.411 **General**

A Post Office normally should bear the official name of the incorporated city, town, or borough in which it is located, as shown in its charter. A Post Office located in an unincorporated place should generally bear the approved name of the principal community served (normally the community in which located) or the approved name of the town or township, if it serves a number of communities within a town or township.

##### 123.412 **Changes in Names of Post Offices**

Requests for a change to a Post Office name should be initiated by the local postmaster. This request should be submitted through the district manager, Customer Service and Sales, to the vice president, Area Operations, for transmittal with a recommendation to the manager, Address Management, at Headquarters.

##### 123.413 **Designations of Stations, Branches, Community Post Offices, and Other Named Postal Facilities**

Community Post Offices, stations, branches, and other named postal facilities generally are given names recognized by the public that indicate their locations, using the following policies:

- a. *Station Designations.* A station's name should describe its location (neighborhood or section of city, for example) to the general public. There must be no duplication of station names within a single city, county, or 3-digit ZIP Code area.
- b. *Community Post Office (CPO) and Branch Designations.* CPO and classified branch names are valid mailing addresses. Therefore, each CPO or classified branch must bear the name of the principal community it serves. There must be no duplication among CPO, classified branch, and Post Office names within a state. Each contract branch also must bear the name of the principal community it serves. Exceptions are historic sites, etc. (e.g., Grand Canyon Branch), which must be approved by the vice president, Area Operations.
- c. *Permanent Numbers and Letters.* The use of permanent number and letter designations for branches or classified stations is prohibited, unless the number or letter signifies a location, as in M Street Station,

3rd Avenue Station, or Fourth of July Plaza Station. Number and letter designations in use at the time of the establishment of this regulation may continue to be used permanently.

- d. *Temporary Numbers and Letters.* Number and letter designations for branches and classified stations that do not signify locations, such as Station A or Branch #4, may be used for a period not to exceed 1 year. These designations may be used beyond 1 year only by written approval of the vice president, Area Operations.
- e. *Facilities Named for Individuals.* A postal facility may be named for an individual only with the approval of the Postmaster General and only if the individual has been deceased for at least 10 years, with the exception of former Postmasters General, former members of the Board of Governors, or deceased U.S. Presidents. Official commitments announced prior to the establishment of this regulation will be fulfilled. Occasionally, Congress honors an individual by passing a law naming a postal facility after that individual. For the procedures to be followed in such cases, see ASM 519.2.
- f. *Changes in Designations of Stations, Branches, or Other Named Postal Facilities.* A local request for a change in the name of a station, branch, or other named postal facility must be submitted to the vice president, Area Operations. A request that results from an official change in the community's name is handled as a change in the name of a Post Office (see [123.412](#)). The vice president, Area Operations, has authority, subject to the policies established in this section, to approve all other changes in designations of facilities, except for those discussed in [123.413a](#).

#### 123.42 **Contractor-Operated Retail Facilities**

Vice presidents, Area Operations, are responsible for the review of all ZIP Code assignments and changes within their respective areas. See [439](#) for procedural guidelines for the assignment of ZIP Codes. Postmasters and other field officials will not authorize or change ZIP Code numbers or boundaries without prior area and Headquarters approval.

#### 123.5 **Reporting Requirements for Change in Post Office, Station, or Branch and ZIP Code Status**

Immediately upon approval of a change in status or a detection that a previous reporting was erroneous, areas will ensure that a PS Form 1362, *Status Change Request/Report*, is completed and submitted to Address Management, Operations Support, at Headquarters. Instructions for completion are on the reverse of the form. The actions to be reported are as follows:

- a. Conversion of a postal unit from one type to another.
- b. A change in the name of a postal unit or the ZIP Code for a delivery area.
- c. Establishment of city delivery service.
- d. Relocation of a postal unit to a building with a different owner status (e.g., from a privately owned- to a Postal Service-owned building).

- e. Detection that information reported from the National ZIP Code Information System files is in error.

#### 123.6 **Reporting Requirements for Community Post Office or Contract Postal Unit Discontinuance**

Upon the discontinuance of a community Post Office or contract postal unit, a report of change in status must be made on PS Form 1362, *Status Change Request/Report*, as required by [123.5](#). Additionally, when a contract unit is discontinued, a contract modification must be completed to show the contract termination date and submitted to the following address:

ACCOUNTING SERVICE CENTER  
US POSTAL SERVICE  
PO BOX 14678  
ST LOUIS MO 63180-9400

### 124 **Conduct on Postal Property**

#### 124.1 **General**

The rules and regulations outlined in [124.2](#) through [124.6](#) apply to all real property under the charge and control of the Postal Service, to all tenant agencies, and to all persons entering in or on such property, except as may be provided in the lease. Space leased to private tenants will be covered only to the extent that requirements are incorporated in the lease agreement. Poster 7, *Rules and Regulations Governing Conduct on Postal Property*, sets forth these rules and regulations and must be kept posted at a conspicuous place on all such property.

#### 124.2 **Admission to Postal Property**

##### 124.21 **Inspection**

Purses, briefcases, and other containers brought into, while on, or being removed from the property are subject to inspection. However, items that are brought directly to the customer mailing acceptance area of a facility and that are properly mailed are not subject to inspection, except as provided by ASM 274. A person arrested for violation of this section may be searched incident to that arrest.

##### 124.22 **Identification**

Except as otherwise ordered, properties must be closed to the public after normal business hours. Properties also may be closed to the public in emergency situations and at such other times as may be necessary for the orderly conduct of business. Admission to properties during periods when such properties are closed to the public may be limited to authorized individuals who may be required to sign the register and to display identification documents when requested by security force personnel or other authorized individuals.

#### 124.3 **Preservation of Postal Property**

Improperly disposing of rubbish, spitting, creating any hazard to persons or things, throwing articles of any kind from a building, climbing upon the roof

or any part of a building, or willfully destroying, damaging, or removing any property or any part thereof is prohibited.

#### 124.4 **Conformity With Signs and Directions**

##### 124.41 **Pedestrian Traffic**

All persons in and on postal property must comply with official signs of a prohibitory or directory nature and with the directions of postal police officers or other authorized individuals.

##### 124.42 **Vehicular Traffic**

Regulations for driving on postal property are as follows:

- a. Drivers of all vehicles in or on property shall be in possession of a current and valid state or territory issued driver's license and vehicle registration, and the vehicle shall display all current and valid tags and licenses required by the jurisdiction in which it is registered.
- b. Drivers who have had their privilege or license to drive suspended or revoked by any state or territory shall not drive any vehicle in or on property during such period of suspension or revocation.
- c. Drivers of all vehicles in or on property shall drive in a careful and safe manner at all times and shall comply with the signals and directions of security force personnel, other authorized individuals, and all posted traffic signs.
- d. The blocking of entrances, driveways, walks, loading platforms, or fire hydrants in or on property is prohibited.
- e. Parking without authority, parking in unauthorized locations or in locations reserved for other persons, or continuously in excess of 18 hours without permission, or contrary to the direction of posted signs is prohibited. This section may be supplemented by the postmaster or installation head from time to time by the issuance and posting of specific traffic directives as may be required. When so issued and posted such directives shall have the same force and effect as if made a part hereof.

#### 124.5 **Specific Restrictions**

##### 124.51 **Disturbances**

Disorderly conduct; loud and unusually noisy conduct; conduct that obstructs the usual use of entrances, foyers, corridors, offices, elevators, stairways, and parking lots; or conduct that otherwise tends to impede or disturb public employees while working or that impedes or disturbs the general public in transacting business on postal property is prohibited.

##### 124.52 **Gambling**

Participating in games for money or other personal property, operating gambling devices, conducting a lottery or pool, and selling or purchasing lottery tickets are prohibited on postal premises. This prohibition does not apply to the vending or exchange of state lottery tickets at vending facilities operated by licensed blind persons where such lotteries are authorized by state law.



**124.53 Alcoholic Beverages and Drugs****124.531 Restrictions**

A person under the influence of an alcoholic beverage or any drug that has been defined as a controlled substance may not enter postal property or operate a motor vehicle on postal property. The possession, sale, or use of any controlled substance (except when permitted by law), or the sale of or use of any alcoholic beverage on postal premises is prohibited (except as authorized by the Postmaster General or designee). The term *controlled substance* is defined in 21 U.S.C. 802.

**124.532 Smoking**

Smoking (having a lighted or activated electronic cigar, cigarette, pipe, or other smoking material) is strictly prohibited in all buildings or office space (including service lobbies).

**124.54 Soliciting, Electioneering, Collecting Debts, Vending, and Advertising**

These regulations apply to the following activities:

- a. Soliciting alms and contributions, campaigning for election to any public office, collecting private debts, commercial and nonprofit soliciting and vending (including, but not limited to, the vending of newspapers and other publications), the display or distribution of commercial advertising and soliciting of signatures on petitions, polls, or surveys on postal premises (except as authorized by 39 CFR part 259) or impeding the access to or egress from Post Offices are prohibited. This prohibition does *not* apply to the following:
  - (1) Commercial or nonprofit activities performed under contract with the Postal Service or pursuant to the provisions of the Randolph-Sheppard Act.
  - (2) Posting notices on bulletin boards as authorized by 39 CFR 243.2(a).
  - (3) The solicitation of Postal Service and other federal military and civilian personnel for contributions by recognized agencies as authorized by the *Manual on Fund Raising Within the Federal Service*, issued by the Chairman of the United States Civil Service Commission under Executive Order 10927, March 13, 1961.
- b. Leafletting, picketing, demonstrating, and other similar conduct by members of the public is prohibited in lobbies and other interior areas of postal premises otherwise open to the public. Public assembly and public address, except when conducted or sponsored by the Postal Service, are also prohibited in lobbies and other interior areas open to the public.
- c. Solicitations and other actions that are prohibited by [124.54a](#) when conducted on Postal Service property should not be directed by mail or telephone to postal employees on Postal Service property. The Postal Service will not accept or distribute mail or accept telephone

calls directed to its employees when such contacts are believed to be contrary to [124.54a](#).

- d. Except as part of postal activities or as permitted under [17](#), Public Services, no tables, chairs, freestanding signs or posters, structures, or furniture of any type may be placed in postal lobbies or on postal walkways, steps, plazas, lawns or landscaped areas, driveways, parking lots, or other exterior spaces.

#### 124.55 **Prohibited Postings**

Except for official postal and other governmental notices and announcements, no handbills, flyers, pamphlets, signs, posters, placards, or other literature may be deposited on the grounds, walks, driveways, parking and maneuvering areas; exteriors of buildings and other structures; or on the floors, walks, stairs, racks, counters, desks, writing tables, window ledges, or furnishings in interior public areas on postal premises. This prohibition does not apply to posting notices on bulletin boards as authorized by 39 CFR 243.2 or to interior space assigned to tenants for their exclusive use. Bulletin boards and other posting space in Post Office lobbies and other public access areas may not be used for posting or display of the following:

- a. Private business or nonprofit organization advertisements.
- b. Photographs of an incumbent or former U.S. President or Postmaster General.
- c. Photographs or likenesses of any elected officials.
- d. Political cartoons or other matter designed to influence an election.
- e. Religious symbols or matter including but not limited to nativity scenes and the Star of David. This section applies to seasonal displays by the Postal Services, its employees and agents, and nothing in this section prohibits the display of stamps and stamp art or use of secular holiday decorations such as evergreen trees (provided that only nonreligious ornaments are used), menorahs (when displayed in conjunction with other seasonal matter), wreaths, holly, candy canes, Santa Claus, dreidels, and Kwanzaa symbols such as mkeka (a straw mat), kikombe cha umoja (unity cup), or mishumaa saba (a seven-place candle holder with three red, three green, and one black candle). *Printed expressions "Season's Greetings," and "Happy Holidays" must be used in lieu of "Merry Christmas" or "Happy Hanukkah."*

#### 124.56 **Authorized Actions**

Postal Service employees are welcome to share the spirit of the season with customers, and may do so by extending appropriate greetings such as "Merry Christmas," "Happy Hanukkah," "Happy Kwanzaa," "Happy New Year," etc.

#### 124.57 **Seasonal Displays**

Seasonal displays on postal property concern events or seasons that have a substantive impact upon mailing patterns. The following guidelines apply to seasonal displays by the Postal Service, its employees, or agents:

- a. Displays should relate to the business of the Postal Service, such as promoting the use of postal products and services and encouraging customers to send greetings and gifts.
- b. The Postal Service must avoid the appearance of favoring any particular religion or religion itself.
- c. Symbols identified with a particular religion, including but not limited to nativity scenes, crosses, or the Star of David, shall not be displayed on postal property. Examples of permissible displays include: stamps and stamp art, evergreen trees bearing nonreligious ornaments, menorahs (when displayed in conjunction with other seasonal matter), wreaths, holly, candy canes, Santa Claus, reindeer, dreidels, snowmen, stockings, candles, carolers, hearts, colored lights, and Kwanzaa symbols such as mkeka (a straw mat), kikombe cha umoja (unity cup), or mishumaa saba (a seven place candle holder with three red, three green, and one black candle).
- d. Printed expressions "Season's Greetings" and "Happy Holidays" should be used in lieu of "Merry Christmas" or "Happy Hanukkah."

#### 124.58 **Photographs for News, Advertising, or Commercial Purposes**

Photographs for news purposes may be taken in entrances, lobbies, foyers, corridors, or auditoriums when used for public meetings, except as prohibited by official signs, the directions of postal police officers, other authorized personnel, or a federal court order or rule. Other photographs may be taken only with the permission of the local postmaster or installation head.

#### 124.59 **Dogs, Other Animals, and Weapons and Explosives**

- a. Dogs and other animals: Dogs and other animals, except those used to assist persons with disabilities (service animals), may not be brought on postal property for other than official reasons. A "service animal" may be any species, breed, or size and may or may not be licensed, certified, or marked as a service animal. Service animals can assist persons with a wide range of disabilities, whether a disability is visible or not, including physical and mental disorders.
- b. Weapons and explosives: No one on postal property may carry or store firearms, other dangerous or deadly weapons, or explosives, whether openly or concealed, for other than official reasons.

**Note:** All classified postal units must display in lobbies Poster 7, *Rules and Regulations Governing Conduct on Postal Property*. No other signage referring to dogs or service animals should be posted in lobbies or on entry doors. See [125.342](#).

#### 124.6 **Nondiscrimination**

There must be no discrimination by segregation or otherwise against any person or persons because of 1) race, color, sex (including pregnancy, sexual orientation, and gender identity including transgender status), national origin, religion, age (40 or over), genetic information, disability, or retaliation for engaging in an EEO-protected activity as provided by law, or 2) other non-meritorious factors such as political affiliation, marital status; status as a parent; and past, present or future military service in furnishing or by refusing

to furnish to such person or persons the use of any facility of a public nature, including all services, privileges, accommodations, and activities provided thereby on postal property.

## 124.7 **Enforcement and Violations**

### 124.71 **Enforcement**

#### 124.711 **Postal Police Officers**

Office of Inspector General Special Agents, and other persons designated by the Chief Postal Inspector are responsible for enforcing the regulations in this part in a manner that will protect Postal Service property.

#### 124.712 **Agreements**

Pursuant to 40 U.S.C. 318b and with the approval of the Chief Postal Inspector or designee, local postmasters, installation heads, and postal inspectors may enter into agreements with state and local enforcement agencies to ensure that these rules and regulations are enforced in a manner that will protect Postal Service property.

### 124.72 **Violations**

#### 124.721 **Court**

Alleged violations of these rules and regulations are heard and the penalties prescribed in [124.722](#) are imposed either in a federal district court or by a federal magistrate in accordance with applicable court rules. Questions regarding such rules should be directed to the Managing Counsel for the area involved.

#### 124.722 **Fines and Imprisonment**

Anyone found guilty of violating the rules and regulations in this part while on property under the charge and control of the Postal Service is subject to a fine of not more than \$50, or imprisonment of not more than 30 days, or both. Nothing contained in these rules and regulations is to be construed to abrogate any other federal laws or regulations or any state or local laws or regulations applicable to any area in which the property is situated.

## 125 **Lobby Management**

### 125.1 **Image**

#### 125.11 **General**

The Post Office lobby is the principal business office of the Postal Service. For many customers, the lobby is their only close-up view of postal operations; therefore, its appearance, convenience, and efficiency directly affect the Postal Service's public image. Consequently, to enhance corporate identity and continue the standardization process, lobbies must be maintained according to established postal guidelines (e.g., painting, redecorating, etc.).

#### 125.12 **Responsibility**

To effectively manage lobbies, postal managers must allocate and use available resources as necessary to ensure that postal retail services are available and accessible to customers in a timely, efficient manner and in an orderly, clean, and attractive environment.

Lobby and retail services must be scheduled during hours most appropriate to the needs of the majority of customers in the local area. Postal units located in a business area normally will be open during hours maintained by that business community. Stations and branches are not required to maintain the same hours as main offices when the needs of their respective local customers are different.

## 125.2 **Service Levels**

### 125.21 **General**

It is not economically possible for the Postal Service to provide instantaneous service for each customer entering the lobby. Instead, the Postal Service goal is to provide a level of service that produces a waiting time of less than 5 minutes for those customers who cannot be served immediately. Postmasters achieve this goal through the following:

- a. Proper training and staff scheduling.
- b. Using procedures and equipment that expedite customer transactions, such as making maximum use of integrated retail terminals (IRTs), staff scheduling, the Lobby Director Program (see [125.4](#)), vending equipment maintained in working order, and other line management techniques (see [125.43](#)).
- c. Using the retail analysis staffing and scheduling model to determine how many employees should be on duty during all periods to maintain service levels within these guidelines.

### 125.22 **National Holidays**

Post Offices are generally closed on holidays, except for specific facilities that include holiday service in their normal schedules (e.g., 24-hour retail offices and air mail facilities). Incoming mail may be distributed to Post Office boxes at some postal facilities. The Priority Mail Express network is also adjusted for limited holiday operations. Collections are generally not performed on holidays, but Post Offices may empty collection boxes to avoid overflow conditions, to secure mail deposited in the box, or to advance collections for the next processing day. The Postal Service observes the following holidays:

- a. New Year's Day.
- b. Martin Luther King, Jr.'s Birthday.
- c. George Washington's Birthday.
- d. Memorial Day.
- e. Independence Day.
- f. Labor Day.
- g. Columbus Day.
- h. Veterans Day.
- i. Thanksgiving Day.
- j. Christmas Day.

Exhibit 125.22a

**Holiday Service Levels**

<b>Widely Observed Holidays</b> <b>(New Year's Day, Memorial Day, Independence Day,</b> <b>Labor Day, Thanksgiving Day, and Christmas Day)</b>	
<b>Holiday Day of the Week</b>	<b>Service Level</b>
<i>Friday Holiday</i>	
Friday	Collection Schedule Decal
Saturday	Normal
Sunday	Collection Schedule Decal
<i>Saturday Holiday</i>	
Friday	Normal
Saturday	Collection Schedule Decal
Sunday	Collection Schedule Decal
<i>Sunday or Monday Holiday</i>	
Saturday	Normal
Sunday	Collection Schedule Decal
Monday	Collection Schedule Decal if Holiday; If No Holiday then Normal
<i>Tuesday, Wednesday, or Thursday Holiday</i>	
Preceding Day	Normal
Holiday	Collection Schedule Decal

Exhibit 125.22b

**Holidays Not Widely Observed**

<b>Holidays Not Widely Observed</b>	
<p>Martin Luther King, Jr.'s Birthday, George Washington's Birthday, and Columbus Day are all Monday holidays. Veterans Day is observed on November 11. Use service levels for a Monday holiday on Veterans Day.</p>	
<b>Day of Week of Holiday</b>	<b>Service Level</b>
Saturday	Normal (if not Veterans Day holiday; Collection Schedule decal if Veterans Day holiday)
Sunday	Collection Schedule decal
Monday	Collection Schedule decal
<p><b>Note:</b> Exceptions to these service levels must be approved by the appropriate functional manager at Postal Service Headquarters. Collections are made as shown on the collection schedule decal on each collection box, except as outlined below:</p> <p>Local managers must assure that collections are made from all boxes as shown on the collection schedule decal. If necessary, Post Offices can make other collections to avoid overflow conditions, to secure mail deposited in the box, or to advance processing for the next day.</p> <p>For territories with additional holidays, area and district managers will determine service levels for Post Offices within their jurisdiction.</p> <p>Limited exceptions for modified collections on days adjacent to holidays when mail volume is expected to decline significantly (such as on Christmas Eve and New Year's Eve) are allowed under the following conditions:</p> <ol style="list-style-type: none"> <li>Postal Service Headquarters issues national advice for field offices about changes to collection schedules.</li> <li>A prominent notice is placed in postal lobbies approximately 2 weeks prior to the day that collection operations will be modified, showing the last scheduled collection for that day, and the location of the closest collection point or Post Office with a 5:00 P.M. or later last collection on that date.</li> </ol> <p>Local print and broadcast media have been advised of the changes and are asked to provide information to the public about the changes to collection operations.</p>	
<b>Definition of Terms</b>	
<b>Normal:</b> Service normally provided on that particular day of the week.	
<b>Time Decal:</b> Collections from boxes with last pickup-time decals identifying the boxes.	
<b>Limited:</b> Service adjusted to meet the limited needs of a community on that particular day.	

125.3 **Space Utilization**125.31 **General**

The first priority for use of space in lobbies is to make postal services and products available to the public in an orderly, efficient, attractive, and convenient manner. It is also important to display postal services and products in a manner that effectively markets those services to customers, following standard established postal guidelines. Any space that is not needed for that purpose may be made available for purposes prescribed by law or for use by other government agencies under the conditions explained in this subchapter.

## 125.32 **Furnishings and Fixtures**

### 125.321 **General**

Lobby furniture and fixtures aid customers in the conduct of their business, expedite their movements while in the lobby, and provide them with materials and information. Postmasters should ensure that the selection, placement, and daily maintenance of lobby furnishings conform to the lobby standards and enhance the overall appearance of the lobby. All lobby furniture and equipment must be properly secured to the floor to prevent them from tipping over.

### 125.322 **Writing Tables and Customer Forms**

Tables, ledges, and shelves are provided for customers to use while addressing mail and completing forms related to postal transactions. Postmasters are responsible for obtaining the proper number and type of these items to serve customer needs at each unit. These items should be placed carefully within the lobby so that they do not impede the movement of customers to the queuing line, and they should be kept adequately lighted. Tables, ledges, shelves, etc., must be securely anchored to the wall and/or floor. Publication 65, *National Five-Digit ZIP Code and Post Office Directory*, should be available for customer use in the lobby. Unit supervisors should ensure that pens are available and all required customer forms are available on the tables or in appropriate "Take One" racks. Such forms must be kept neatly arranged at all times and resupplied as necessary on a daily basis.

### 125.323 **Checking Retail Scales for Accuracy**

#### *Retail Lobby Scales*

Retail scales used to rate single piece mail: Verify scale accuracy each day and field calibrate using certified test weights if scale is not accurate. Follow current procedures for verifying and calibrating.

Repaired scales and new scales: Use certified test weights to field calibrate scales before placing into service.

Ascom Hasler/Triner electronic scales: Refer to the user's operation manual for these units for verification and calibration procedures. The manufacturer or existing maintenance contract handles calibration for these units.

Mechanical scales: Refer to current maintenance management orders or visit <http://www.mtsc.usps.gov> for information on verification and calibration.

#### *Retail Counter Scales*

POS ONE: Refer to POS ONE web site at <http://retail.usps.gov/posone> or contact your Area/District POS ONE coordinator for verification and calibration procedures. Retail unit managers or their designees handle calibration for POS ONE units.

IRT, MOS, UNISYS: Refer to current maintenance management orders or visit <http://www.mtsc.usps.gov> for information on verification and calibration. Your local field maintenance office handles calibration for these units.

### 125.33 **Queuing Systems Criteria**

Wherever possible, queuing systems should be used to ensure that an orderly flow of lobby traffic is maintained and that customers are served on a first-come, first-served basis. Queuing systems should be installed when two



full-time and one or more part-time (4 hours per day) retail service counters are in operation. There are many variations in equipment design and quality. District managers, Customer Service and Sales, should plan procurement of queuing systems to take advantage of price discounts for quantity purchases. A proper plan includes the following:

- a. A parcel slide, if space permits.
- b. An adequate number of stanchions and rope footage.
- c. The proper number of correctly worded signs.
- d. Sufficient queuing area for the number of peak-period customers.
- e. Installation of the system during nonbusiness hours.
- f. Placement of queuing systems to ensure free and unobstructed access to the principal entrance and exit doors used by the public. Also, ensure that all retail service counters have an unobstructed view of the head of the queue.

#### 125.34 **Lobby Displays and Promotions**

##### 125.341 **General**

The amount of lobby space suitable for posters and signs varies, and the total amount of space needed for all postings approved at any one time may exceed the amount of space available in some offices. Local managers should display postings according to the following priorities:

- a. Mandatory Postal Service postings are Notice 107, Poster 7, Poster 37, Poster 158, Poster 296, and other forms on a space-available basis.
- b. Postal Service mailing forms to facilitate conduct of retail operations, including rate charts.
- c. Specialized Postal Service displays, such as promotional material for revenue-generating products and services, packaging, and stamp collecting product displays.
- d. Postal Service announcements and consumer information.
- e. Notices by members of Congress.
- f. Postings for other government agencies.

##### 125.342 **Lobby Displays**

Certain mandatory notices, posters, and signs must be posted clearly and continuously in the lobbies of all classified postal units. Some mandatory postings may be for temporary periods. Many optional posters and displays are also provided. A list of lobby displays is contained in [Exhibit 125.342](#).

Offices must display the following decals, labels, notices, posters, publications, and signs. Except for those indicated with an asterisk, these items are available from the Material Distribution Centers (MDCs).

Exhibit 125.342

**Mandatory Lobby Displays**

Poster 7	Rules and Regulations Governing Conduct on Postal Property
Poster 37	Is Your Package Safe to Mail?
Notice 107	Let's Keep The Mail Safe
Poster 158	Possession of Firearms and Other Dangerous Weapons on Postal Property Is Prohibited by Law
Poster 296	Notice of Reward

125.343 **Mandatory Public Information to be Available**

Mandatory posters, notices, and signs must be available in Post Offices for customer access. These items may be placed in a binder or posted behind the counter. A list of information that must be made available is contained in [Exhibit 125.343](#).

Exhibit 125.343

**Mandatory Public Information to be Available**

FBI Most Wanted Poster	Kept in binder behind counter
Notice 123	Ratefold
Notice 4314-C	We Want to Know
Poster SSS46	Selective Service Poster
PUB 201	Consumer's Guide to Postal Services and Products
Sign 145	Payment Policies
Signs <sup>1</sup>	<ul style="list-style-type: none"> <li>■ Hours of operation</li> <li>■ Time when all committed PO Box mail is normally distributed</li> <li>■ Letter drops and collection point times</li> </ul>

<sup>1</sup> Available through the direct vendor signage contract.

125.35 **Scheduled Use**125.351 **General**

Retail Operations at Headquarters is responsible for policy guidance over the use of lobby floor and poster space for nonpostal purposes. Advertising and Promotion is responsible for scheduling and controls point of purchase advertising for the Postal Service as well as that of other agencies. All requests from government agencies for scheduled use of lobby space on a multiregional, statewide, or larger basis must be forwarded to the area manager, Sales and Account Management, for approval. Requests for scheduled use of space on a less-than-statewide basis must be forwarded to area Sales and Account Management for evaluation and final approval. Scheduled use of lobby space by government agencies is provided in the following order:

- a. Federal agencies.
- b. State agencies.
- c. County and municipal agencies.

**125.352 Terms and Conditions**

The scheduled use of available space in Post Office lobbies by other government agencies is subject to the following terms and conditions:

- a. Each user must pay a fee, to be established by the Postal Service based on the cost and value of the space involved, plus any direct costs incurred by the Postal Service. The amount of the fee to be charged at each type of facility is published periodically in the *Postal Bulletin*.
- b. The user agency must arrange for the distribution of any literature or display material to the facility with available space and must pay all costs involved.
- c. Floor space is allotted in increments of eight square feet and for predetermined periods, normally one calendar month. Use of floor space is restricted to kiosks or other semipermanent display stands of stable construction, located where they will not impede normal customer traffic or pose a security problem and must meet safety requirements.
- d. Examples of counter cards, posters, and other display material must be available for Headquarters, Advertising and Promotion review, as appropriate, at least 3 weeks before the distribution date. Headquarters, Advertising and Promotion or Sales and Account Management will determine the suitability of the material for display in postal lobbies and will provide the user with specific distribution instructions on the available sites.
- e. Counter cards must measure no more than 11 by 14 inches.
- f. Posters must be of standard dimension (24 by 36 inches, 14 by 21 inches, or 11 by 14 inches), must be approved by Advertising and Promotion prior to printing, and must bear a printed expiration date, usually one month from the date of posting, unless specific exceptions have been granted by the approving office.
- g. Displays or other dispensers for "Take One" brochures or forms must be accompanied by a life-cycle supply of those items. The facility manager ensures that the dispensers are replenished as needed from the supply of items.

**125.36 Unscheduled Use****125.361 Bulletin Boards**

The following guidelines apply to the use of bulletin boards:

- a. Postmasters may install bulletin boards in public areas of Post Offices or set apart a convenient place to display official government notices, notices of public assemblies, judicial sales, official election notices issued by state or local government, and similar announcements. These display privileges must be afforded without discrimination.
- b. Bulletin boards may not display private business advertisements; placards, cards, or notices; photographs or likenesses of any member of state legislature or Congress; or political pictures, cartoons, or other material designed to influence an election.

- c. Notices by members of Congress are limited to public announcements of pending competitive civil service examinations and pertinent information about application for appointment to the U.S. service academies. These notices are displayed only if current and within the district of the sponsoring representative or the state of the sponsoring senator. Such displays must conform to the specifications in this section. If a postmaster believes that a notice does not conform to these specifications, the postmaster may display the poster pending the decision of the area manager, Customer Service and Sales. Notices that include the member's picture must be returned to the member with an explanation of why they cannot be displayed. Such displays must:
  - (1) Be no larger than 9 by 12 inches.
  - (2) Contain no photograph, picture, or likeness of the member of Congress.
  - (3) Contain no signature and/or printed name of the member of Congress larger than 1/2-inch (48-point) type.
  - (4) Contain the closing date for submission of applications.
- d. If space is available, one recruiting notice (no larger than 8-1/2 by 11 inches) of each branch of the armed services may be placed on bulletin boards.

#### 125.362 **Voting Information**

The following guidelines apply to voting information:

- a. Any notices posted regarding voting may not contain any partisan political messages or symbols designed to influence the outcome of an election, including, but not limited to, photographs or other likenesses of incumbents or candidates for any public office. The notices must be no larger than 8-1/2 by 11 inches. Names and addresses of federal legislators may not appear in larger than 1/4-inch (18-point) type.
- b. Such notices must be displayed in lobbies that have public bulletin boards. Each notice must remain posted only as long as it contains current information applying to customers served by the displaying postal facility and must be removed not more than 2 years from the date of receipt for posting. At locations where there is no public bulletin board or there is not enough space on the board for individual display, the notices should be assembled for public inspection in a binder or on a clipboard. Nothing in this section precludes postmasters from displaying additional material on public bulletin boards as space permits, as provided in [125.361](#).

#### 125.37 **Blind Vendor Facilities**

The Randolph-Sheppard Act (20 U.S.C. 107-107f) requires that preference be given to certified blind persons for installing and operating vending facilities on postal property. A state licensing agency designated by the Department of Health and Human Services must apply on behalf of a blind vendor to the officer in charge of the postal facility where the space is desired. The Postal Service determines if a permit for the vending facility should be granted. Handbook EL-602, *Food Service Operations*, provides guidance for Postal Service compliance with the Randolph-Sheppard Act.

**125.4 Lobby Director Program****125.41 Description**

The *lobby director* is a friendly, knowledgeable clerk in the lobby who greets customers, determines what they need, and assists them in selecting services and preparing paperwork before they reach the service counter. Lobby directors perform the same duties as the clerks behind the counter, except that they do not handle money.

**125.42 Purpose and Scope**

The program's objective is to reduce the average customer waiting time by assisting many customers *before* they reach the retail service counter. In addition, it aims to reduce customers' perceived waiting time by demonstrating that the Postal Service intends to provide prompt, efficient, and courteous service. The lobby director should be used during peak traffic periods during the day.

The lobby director program is appropriate for high-traffic offices that:

- a. Might otherwise have long lines at several periods of the day, month, or year.
- b. Receive customer complaints about long lines, waiting time, or employee discourtesy.
- c. Have two full-time and at least one part-time retail service counters in operation.

**Note:** To implement the lobby director program, there must be enough lobby space for an extra person to work the line.

**125.43 Implementation****125.431 Notify Employees**

Managers should provide all clerks with a program overview that describes the program and its objectives as well as benefits for customers, retail clerks, and employees acting as the lobby director.

**125.432 Encourage Volunteers**

All employees with retail responsibilities in a unit may volunteer for the lobby director program. Each volunteer will be given the opportunity to serve as a lobby director.

**125.433 Provide Training**

Each lobby director receives 8 hours of training that focuses on communications and human relations skills, salesmanship, and knowledge of Postal Service products and services.

**125.434 Uniforms**

Lobby directors must wear a standard retail clerk uniform blouse, slacks, skirt, or jumper, and black or navy blue shoes.

**125.435 Obtain Supplies and Equipment**

Lobby directors may work from a mobile cart or a table. The following supplies should be available:

- a. Letter scale.
- b. Mailing forms and labels.
- c. Tape.
- d. Packaging products for sale to customers.
- e. Bad check list.
- f. Zone chart.
- g. Rate charts (giveaways).
- h. Publication 201, *Consumer's Guide to Postal Services and Products*.
- i. Other brochures (giveaways).

**125.5 Articles Found in Lobbies or Public Areas**

When articles found in lobbies or in public areas around a Post Office are turned in to employees, the employees follow these procedures:

- a. Ask the finder to write down on a Postal Service routing slip (Item 0-13) name, address, telephone number, and a description of the article. Unless the article is Postal Service or government property or a money order, it can be returned to the finder if the loser does not claim it within 30 days.
- b. If the finder does not leave a name, want the article, or claim the article within 30 days after being notified that it is available, dispose of it in the same manner as unidentified material found loose in the mail. Do not return government property or money orders to the finder. Dispose of government property as prescribed by [691.45](#). Money orders should be mailed to the St. Louis Accounting Service Center.
- c. Note on the routing slip the date and disposition of the article. Also note the name of the employee handling the disposition. File the routing slip for 3 months, then destroy it. The postmaster should make sure that the article is not lost or damaged.

**126 Retail Services Management****126.1 Purpose and Scope**

In addition to operations involving direct contact with customers, retail clerks must report cash, sales of items, and stock on hand. They must also maintain records, complete data collection forms, and perform other related tasks as required. This section explains administrative responsibilities and applicable regulations.

**126.2 Stamps and Accountable Stock Activities****126.21 General**

The majority of all retail unit transactions involve the sale of stamps or postal stationery items. Therefore, all employees who provide or supervise retail service must have a thorough working knowledge of the accounting

instructions for these materials. Further, it is essential for these employees to understand the requirements for ordering accountable stock (see Handbook F-1, *Post Office Accounting Procedures*).

126.22 **Requisitioning Stamps and Accountable Stock**

Retail units requisition stamp and accountable stock on schedules established by stamp distribution offices. Adjust requisitions whenever possible to permit ordering stamps in full sheets or packaged lots and postal cards or envelopes in full boxes or packaged lots. Detailed instructions are contained in Handbook F-1.

126.23 **Counting Stamps and Accountable Stock**

Retail employees count and verify stamp stock as it is received from the supply source and during audits. Recommended systematic methods for performing these tasks are described in Handbook F-1.

126.24 **Protecting Stamps and Accountable Stock**

Vaults, security containers of various types, and security cages are installed in postal facilities as needed for protective storage of accountable items. The Postal Inspection Service determines the amount and type of security equipment that is required. Details on the use and care of this equipment may be found in Handbook F-1.

Stamps, postal stationery, blank money orders, and other accountable items must be protected at all times. They may be stored in a locked cash drawer or cabinet for short periods during the duty day. At other times they must be stored in the main vault or security container that affords the best available protection. Detailed instructions for safeguarding accountable items are contained in Handbook F-1.

126.25 **Destroying Stamps and Accountable Stock**

During handling, postage stock items frequently become damaged or soiled to the extent that they are no longer salable. Retail employees turn in such items to the person who fills their stamp requisitions in return for full credit. Periodically, all nonsalable postage items are sent to a designated committee at the stamp distribution office (SDO) or accountable paper depository for verification and destruction. Complete details on the destruction of postage stock are contained in Handbook F-1.

126.3 **Financial Activities**

126.31 **Purpose and Scope**

Window clerks must account on a daily basis for all funds received for the sale of stamps and other postal products and services.

This section highlights selected elements of cash management and bookkeeping activities for quick reference. Detailed instructions on required accounting procedures are contained in the *Financial Management Manual* (FMM) and in Handbook F-1.

126.32 **Security**126.321 **Cash**

The following procedures safeguard the security of Postal Service employees and the cash they handle:

- a. Window employees' cash drawers have compartments that separate the different denominations of coins and bills, blank money orders, and the postage stock items of highest demand. The drawers are designed to keep these items beyond the sight and reach of customers. They must be locked for security during temporary clerk absences from the retail service counter and must be removed from their cabinets for overnight storage in a vault or security container. Retail employees must never have access to one another's cash drawers.
- b. Postal Service policy on the deposit of retail cash receipts is based on requirements for employees' safety, security of funds, availability of revenue, and retention of adequate change.
- c. Retail clerks turn in cash periodically during the day to a designated employee to avoid keeping unnecessary amounts at the retail service counter, where the risk of loss is high.
- d. Generally, funds retained overnight by clerks for use on the next business day must not exceed \$100, or 10 percent of a clerk's credit, whichever is the lesser amount.
- e. Detailed instructions for disposition of postal funds are contained in Handbook F-1.

126.322 **Money Orders**

Retail personnel who issue money orders must have on hand a sufficient number of blank money orders to accommodate the expected daily volume of business. Further details concerning the maintenance of blank money orders may be found in Handbook F-1.

126.323 **Advance Deposits**

Guidelines for handling advance deposits are as follows:

- a. The advance deposit system encompasses the acceptance, accounting, and file maintenance procedures applying to the operation of Trust Fund Accounts. A large percentage of all postal revenue is deposited in such accounts.
- b. Each person involved in the maintenance and management of this complex system must be thoroughly familiar with the established procedures. In general, funds received for use in customers' advance deposit accounts are handled as any other postal funds, subject to the same limitations, procedures, and accountability requirements.
- c. Details concerning the handling of advance deposits are contained in Handbook F-1.

126.33 **Daily Financial Report**

Individual retail clerks and all stations, branches, and main office retail units must report all financial transactions at the end of each business day on the appropriate version of PS Form 1412-A, *Daily Financial Form*, or PS Form



1412-B, *Daily Financial Report*. The report shows the total amount received for each type of transaction conducted during the day and provides a running record of stamp accountability for each clerk and unit.

Each report is checked and verified by a designated employee other than the person who prepared it. Information from the forms is used by the designated accounting unit in preparing the Statement of Account.

All retail employees must keep fully informed on current reporting procedures. The details are explained in Handbook F-1.

## 126.4 Retail Hours

### 126.41 General

The availability of retail services and lobby hours should reflect time periods that most appropriately meet the needs of the majority of customers in the local area. Stations and branches are not required to be open at the same scheduled hours as the main office. Stations and branches can adjust retail service hours to meet the needs of the local community. Units in suburban communities and/or large shopping centers may provide late evening service for customer convenience if approved by the district manager and area office.

### 126.411 Main Post Office and Units in Business Areas

Units located in a business area should typically maintain the operational hours of the business community.

### 126.412 Saturdays

Window service is provided on Saturdays if there is a demonstrated need; however, retail units offering Saturday delivery must continue to do so unless otherwise approved by Headquarters Retail Operations. At financial units serving business areas or facilities serving communities where residents leave on weekends, retail service may be closed if service is available at other postal units, at contract stations, or by self-service equipment. Postmasters must post signage informing customers of locations and hours of such services.

### 126.413 Sundays

Window service is typically not provided on Sundays unless approved by the district manager and area vice president.

### 126.414 Signs

Postmasters must use available standard signage to publicize the services and hours at each postal unit.

### 126.42 Change in Retail Hours

Except as provided below, permanent changes in the hours of operation must be approved by the district and area offices. Once approved, the area retail office must notify Headquarters Retail Operations of the change in hours of operation at a minimum of 30 days in advance of the change. The notification is performed via e-mail, using the "Notification of Proposed Change in Office Hours" located at <http://blue.usps.gov/wps/portal/officehours>.

Total daily hours of service for RMPOs and PTPOs on weekdays are determined by Headquarters Retail Operations. The actual hours of service each weekday and weekend are determined by district officials. Offices offering Saturday delivery must continue to do so unless otherwise approved by Headquarters Retail Operations.

The postmaster is responsible for informing customers 30 days in advance of any change in hours of operation by posting temporary signs on the entrance doors. These temporary signs should identify the nearest Post Office that can provide retail service outside of the new hours of operation. Offices must check with their district retail office for further information about appropriate temporary signage.

The postmaster must order a replacement for the mandatory “hours of operation” decal from the *Direct Vendor Signage Catalog* with sufficient time to receive the new decal prior to the change in hours. Apply the new decal to all entrance doors per the retail standardization guidelines.

The postmaster is also responsible for making changes to all databases containing unit hours of operation such as the facilities database. Review and update the lobby hours, window service hours, Priority Mail Express acceptance times, and passport acceptance times as necessary.

#### 126.43 **Lobby Hours**

At a minimum, customers must have access to their PO Boxes during all retail service hours of operation. Separate PO Box lobbies should remain open when someone is on duty in the postal unit. At the postmaster’s discretion, lobbies may remain open 24 hours a day to allow customers access to PO Boxes and self-service equipment, provided that customer safety and security provisions are deemed adequate by the Inspection Service.

#### 126.44 **Local or State Holidays**

Post Offices may not be closed solely for a local or state holiday. Window or other services may be reduced if warranted by lessened demand. Otherwise, customers must receive normal levels and types of service.

#### 126.45 **Self-Service Units**

Where criteria and approval for placement are met, Automated Postal Centers® may be placed in lobbies to reduce retail transactions and for postal customers’ convenience when retail service is not available. Postmasters must encourage their customers to use the self-service equipment by informing them of the availability, locations, advantages, and products available from equipment. All self-service equipment must be operable and available for customers when the lobby is open.

#### 126.46 **Consolidation of Retail Counter Service**

Consolidate retail windows and services so that the use of each retail service counter is maximized. Windows offering specialized services are opened only if conditions warrant and if approved by the district manager and area office. All approved specialized retail service counters must also offer stamps and postal stationery.

126.47 **Specified Postal Business**

Contract stations and branches offer specified postal business during normal business hours or hours designated by the postmaster. Contractors on their own initiative may conduct postal business beyond those designated by the postmaster.

## 13 Retail Services at Counters

131 **Overview**131.1 **Counter Transactions**

Counter transactions consist of the sale of postage stamps, postal stationery items, mail services, postal-related products, and other services.

All products and services should be offered at every retail service counter position. This permits full utilization of clerks during their duty tour and is a prerequisite for the successful use of queuing systems as described in [125.33](#).

131.2 **High-Volume Retail Units**

Postmasters of high-volume retail units are authorized to activate a stamps-only retail service counter during peak mailing periods such as noon (lunch time), late afternoon, late December, and after general rate changes.

Additional staffing is neither authorized nor warranted for this procedure.

Windows offering other specialized services may be opened where local needs dictate.

131.3 **Forms of Identification**131.31 **Description**

Certain products and services may require forms of acceptable identification in the application process, and/or receipt of an item. When identification is required, the identification presented must be current (See DMM 608.10).

131.32 **Products and Services Requiring Forms of Acceptable Identification**

Exhibit [131.32](#) provides a list of the products and services requiring forms of identification and the number of required forms of acceptable identification (primary and secondary).

Exhibit 131.32

**Products and Services Requiring Forms of Acceptable Identification**

Products/Services	Primary ID	Secondary ID
Caller Service	✓	✓
Certified Mail Services	✓	
Change-of-Address (COA)	✓	
Collect on Delivery (COD)	✓	
Commercial Mail Receiving Agency	✓	✓
Firm Holdout	✓	
Hold For Pickup	✓	

Products/Services	Primary ID	Secondary ID
Hold Mail	✓	
Insurance Services	✓	
Money Order	✓	
Parcel Return Service	✓	
PO Box	✓	✓
Premium Forwarding Service	✓	✓
Priority Mail Express	✓	
Registered Mail Services	✓	
Sure Money (DineroSeguro)	✓	
USPS Signature Services	✓	

### 131.33 Acceptable Primary Forms of Photo Identification

This section provides a description of the acceptable primary forms of photo identification which must include a clear photograph of the individual bearer. Exhibit [131.33](#) provides a table of the products and services that require a valid primary form of identification and which forms are acceptable for that product or service.

- d. **U.S. Government I.D.** – U.S. Government I.D. may be federal-, state-, or tribal-issued. A customer may use a state-issued driver's license or non-driver's identification card, U.S. Armed Forces card or Uniformed Service ID card, U.S. permanent resident or other identification card issued by U.S. Citizenship and Immigration Services, U.S. certificate of citizenship or naturalization, or an identification card issued by a federally- or state-recognized tribal nation (tribal identification card), as forms of acceptable photo identification.
- e. **Passport** – A customer may use a U.S. passport, U.S. passport card, or foreign passport as forms of acceptable photo identification.
- f. **Matricula Consular (Mexico)** – A customer may use a Matricula Consular card as a form of acceptable photo identification. A Matricula Consular card is an identification card issued by the Government of Mexico through its consulate offices to Mexican nationals residing outside of Mexico.
- g. **NEXUS (Canada)** – A customer may use a NEXUS card as a form of acceptable photo identification. A NEXUS card used as a form of identification for money orders must contain an identification number. NEXUS is a joint Canada Border Services Agency and U.S. Customs and Border Protection operated trusted traveler and expedited border control program.
- h. **Corporate Identification** – A customer may use a corporate identification card of a corporation located and organized in good standing in the United States as a form of acceptable photo identification for certain services, as specified in Exhibit [131.33](#).
- i. **U.S. University Identification** – A customer may use a public or private U.S. university identification card as a form of acceptable photo identification for certain retail products and services as specified in Exhibit [131.33](#).

Exhibit 131.33

**Acceptable Primary Forms of Photo Identification for Products and Services**

<b>Products/Services</b>	<b>U.S. Gov't</b>	<b>U.S./Foreign Passport</b>	<b>Matricula Consular</b>	<b>NEXUS Canada</b>	<b>U.S. University</b>	<b>U.S. Corp.</b>
Caller Service	✓	✓	✓	✓	✓	✓
Certified Mail Services	✓	✓	✓	✓	✓	
Change-of-Address (COA)	✓	✓	✓	✓	✓	
Collect on Delivery (COD)	✓	✓	✓	✓	✓	
Commercial Mail Receiving Agency	✓	✓	✓	✓	✓	
Firm Holdout	✓	✓	✓	✓		✓
Hold For Pickup	✓	✓	✓	✓	✓	
Hold Mail	✓	✓	✓	✓	✓	
Insured Mail Services	✓	✓	✓	✓	✓	
Money Order	✓	✓	✓	✓		
Parcel Return Service	✓	✓	✓	✓		✓
PO Box	✓	✓	✓	✓	✓	✓
Premium Forwarding Service	✓	✓	✓	✓		
Priority Mail Express	✓	✓	✓	✓	✓	
Registered Mail Services	✓	✓	✓	✓	✓	
Sure Money (Dinero Seguro)	✓	✓	✓	✓		
USPS Signature Services	✓	✓	✓	✓	✓	

**131.34 Acceptable Secondary Forms of Identification**

As provided under [131.32](#), certain products and services require a secondary form of acceptable identification that is traceable to the bearer, in order to verify the validity of the address provided by the customer when applying or requesting those products and services. A customer may use an additional acceptable primary form of identification to meet the secondary form of identification requirement. A customer may also use an acceptable non-photo form of identification such as a *current* version of: a lease, mortgage, or deed of trust; voter or vehicle registration card; home or vehicle insurance policy; utility bill; or Form I-94, *Arrival and Departure Record*.

**131.35 Unacceptable Forms of Identification**

As specified under DMM 608.10.0, acceptable forms of identification provide sufficient proof of identity and validation of an address. Therefore, the Postal Service does not accept Social Security cards, birth certificates, credit cards, and other similar items as primary or secondary forms of identification.

## 132 **Stamp and Postal Stationery Sales**

### 132.1 **Stamps**

#### 132.11 **General**

Stamp collecting is a source of pleasure for millions of people and sales of postage exclusively for retention are very beneficial to the Postal Service. That is why, to the extent possible, the Postal Service must ensure that stamps, stationery, and other stamp collecting products and services are available at or through all Post Offices. All retail employees must be able to transact philatelic sales, advise customers on mail order procedures, or direct them to the nearest philatelic sales unit. Details on the types of philatelic products available and the procedures for handling them are contained in chapter [2](#).

#### 132.12 **Types of Stamps**

The Postal Service currently offers three types of adhesive-backed stamps that are used for postage and collecting. Each office and, to a lesser degree, each retail clerk should have available sufficient quantities of each type of stamp normally needed to conduct each day's business and should maintain postage stock neatly to facilitate rapid counting, auditing, and replenishment. The *three* basic types of stamps are described below:

- a. *Regular (Definitive) Stamps*, issued in denominations ranging from 1¢ to \$14, are generally kept in constant supply for ordinary postal needs. They are issued when the postage rates change or a new series is introduced. Included in this category are Priority Mail Express stamps.
- b. *Commemorative Stamps* are issued in observance of historical events, in honor of noted persons, and on topics of national importance. Each commemorative issue is printed in limited quantities and sold for a limited time.
- c. *Special Stamps* supplement each year's regular issues. They include the Love and Holiday stamps.

#### 132.13 **Types of Stamp Sales**

##### 132.131 **Loose Stamps**

Loose stamps should be presented to the customer with the glue side up for cleanliness and convenience in moistening and application. Customers are expected to verify the denomination and affix their own stamps.

##### 132.132 **Panes or Partial Panes**

Panes of stamps may be broken into strips or blocks for sale to customers. Glassine or a similar material may be required between layers of full panes of stamps when sold. A customer's request to have stamps placed in a nonofficial (glassine) envelope should be honored, although many collectors provide their own stamp storage envelopes. The Postal Service stocks three sizes of glassine envelopes in MDCs for regular requisitioning. These envelopes are to be provided as a customer convenience and service to protect their purchases of loose stamps and sheets of stamps.

**132.14 Purchase Receipts**

PS Form 3544, *Receipt for Money or Services*, is used for postage and other services for which a record of payment is not already provided. The Postal Service employee fills in the total amount of the purchase and then round-date stamps the form once payment is received.

**132.2 Postal Stationery****132.21 General**

The term *postal stationery* includes items such as stamped envelopes, postal cards, and aerogrammes.

**132.22 Rejection of Personalized Envelopes****132.221 General**

Customers may reject personalized envelope orders for defective manufacture, mistakes in printing, denomination, size, or other defects. Postage value only is refunded if it is the buyer's mistake; full invoice value is refunded if the Postal Service is at fault.

**132.222 Purchase Error**

Postage value only may be refunded. Such a refund may be made at a Post Office or by returning the envelopes to the Philatelic Fulfillment Service Center (PFSC). Refunds at Post Offices are processed under [145.1](#) and DMM 604.9. Rejected envelopes are disposed of in the same manner as unused meter stamps under [145.22](#) (see [132.224](#)).

**132.223 Postal Service Error**

The PFSC refunds the total cost of the envelopes. The envelopes must be returned to the PFSC with an explanation of the error. Only customers whose names appear in the return address, or their representatives, may submit rejected personalized envelopes for a refund (see [132.224](#)).

**132.224 Replacement**

The procedure for replacing personalized envelopes is as follows:

- a. When the error is the fault of the Postal Service, the customer may request that the envelopes be replaced. Customers return the envelopes to the PFSC with an explanation of the errors and information needed for a corrected replacement order.
- b. When erroneous information on the original order caused the mistake, the customer must remit the manufacturing fee for the replacement order. That fee is the difference between the full selling price of the envelopes and the postage value.
- c. When returning an order, the customer must include an explanation for rejecting the envelopes and a request for replacement or refund.

**132.225 Returning Envelopes**

Post Offices should help customers return rejected envelopes to the PFSC; this includes providing customers with postage-paid labels for returning the envelopes.

**132.3 Bulk Quantities****132.31 General**

Some offices designate a specific individual to handle bulk sales of stamps and postal stationery. When bulk transactions are handled by retail clerks, customers may be requested to give advance notice of their requirements to ensure that the desired type and quantity of items are available. Detailed instructions are contained in DMM 604.1, 604.2, and 604.3.

**132.32 Stamps**

Each retail postal facility must provide postage stamps (except precanceled stamps at USPS Marketing Mail rates) in quantities, denominations, and configurations desired by customers. There are no discounts for bulk purchases of postage stamps.

**132.33 Bulk Sales to Customers**

Postal cards, aerogrammes, stamped envelopes, precanceled envelopes, window envelopes, and other items are available for bulk sale to customers. In most instances, the customer places advance orders for bulk purchases.

The unit price established for regular stamped envelopes is slightly lower when sold in multiples of 500 than when sold in broken lots. This reflects only a reduction in handling costs and is not a discount on postage.

**132.4 Unlawful Use of Stamps****132.41 By Postal Employees**

It is unlawful for Postal Service employees entrusted with the sale or custody of postage stamps to do any of the following:

- a. Use stamps in payment of debts or purchase of salable items.
- b. Sell stamps except for cash.
- c. Sell stamps for more or less than face value.
- d. Give stamps away.

**132.42 Counterfeit Stamps**

Counterfeit stamps must be confiscated and sent to the postal inspector in charge of the district where the Post Office is located. A receipt identifying the stamps must be given to persons from whom counterfeit stamps are confiscated.

**133 Postal Money Order Sales****133.1 General**

Postal money orders provide a safe and convenient method for customers to make payments or to transfer cash. Postal money orders are sold for a fee. Official money order imprinting machines are provided by the Postal Service for the sale of money orders. Money order imprinting machines, together with blank money order forms, are accountable items that must be safeguarded at all times to prevent unauthorized use and to protect the integrity of the money order system. Money order equipment is provided to Post Offices on the basis of local need. PS Form 7381, *Requisition for*



*Supplies, Services, or Equipment*, is used for requisitioning additional equipment from the Material Distribution Centers. Procedures for obtaining replacement equipment in case of breakage or defects are contained in the Model 8100 Paymaster's Imprinter Operator's Manual. There are two types of postal money orders:

- a. Domestic money orders.
- b. International money orders.

**Note:** Detailed instructions concerning the management and operations of the postal money order system are contained in DMM S020 and *International Mail Manual (IMM)* 371.

### 133.2 Domestic Money Orders

All Post Offices sell and cash domestic money orders.

### 133.3 International Money Orders

International money orders are issued to addressees in those countries whose postal administrations have agreements with the U.S. Postal Service to conduct such business.

## 134 Packaging Products Sales

The Postal Service provides certain packaging products for sale to customers to facilitate safe processing and transportation of the mail and as a convenience to customers. These products are mail preparation items such as padded mailing bags, flat-size envelopes, corrugated boxes, tape, and cushioning materials that provide added protection for contents in transit. In addition, unit prices must be established at or slightly above prevailing prices for similar items sold by private retailers in the local community. Applicable sales taxes are included in any price comparison. Postmasters with questions about whether requirements for the procurement and sale of packaging products are being met at their offices should contact the manager, Customer Service and Sales, at the district. This procedure is in addition to the daily reporting of sales revenue (see [135.3](#)). Detailed instructions are contained in Handbook F-1, *Post Office Accounting Procedures*.

## 135 Postal-Related Merchandise Sales

### 135.1 General

#### 135.11 Restrictions

Postal-related merchandise must not be sold in lobbies, except in conjunction with first-day-of-issue ceremonies or special events or opportunities of limited duration. Post Offices may sell merchandise containing actual U.S. postage stamps and metallic stamp lapel pins, but the emphasis must be on stamp collecting products. Managers, Customer Service Support, are responsible for approving the sale of postal-related merchandise.

**135.12 Licensees**

Postal-related merchandise should be purchased from authorized licensees of the Postal Service. However, prospective offerers who do not yet hold a license may be solicited with the understanding that, should they be awarded a contract, they must be licensed before they may begin performance.

**135.13 Unit Pricing**

Just as for retail packaging products, unit prices must be established at or above prices prevailing, including sales taxes, for similar items sold by private retailers in the local community.

**135.14 Local Markets**

Postal-related merchandise is developed for sale in local markets. It should not be sold outside the district where it is developed.

**135.2 Accounting**

Districts purchase all postal-related merchandise. Costs are recorded in AIC 494, *Postal-Related Merchandise Costs*.

**135.3 Postal-Related Merchandise Revenue Reports**

Offices must record revenues from all postal-related merchandise sales in AIC 098, *Postal-Related Merchandise Sales*, on PS Form 1412-A, *Daily Financial Form*. In addition, sales of postal-related merchandise must be recorded on PS Form 8133, *Postal-Related Merchandise Inventory Report*. At the end of each quarter, the selling unit must total each PS Form 8133 and record it on PS Form 8134, *Postal-Related Merchandise Quarterly Report*. Credit and debit (ATM) cards may be accepted in payment for postal products and services at most Post Offices. Exceptions: Credit cards may not be used to pay for money orders, collect on delivery (COD) articles, or passport application fees; debit cards may not be used to pay for passport application fees. See Handbook F-1, 317.

**136 Methods of Payment****136.1 General**

Payment for postage items may be made in cash or by postal money order at the time of purchase or by advance deposit to a postage meter or advance deposit account. Checks may be accepted in payment for postal products and services, except for money orders and collect on delivery (COD) items, in accordance with Handbook F-1. Checks must be made payable to *U.S. Postal Service* or to *Postmaster* (title only) for the exact amount of the transaction. Credit and debit (ATM) cards may be accepted in payment for postal products and services at most postal offices. Exceptions: Credit cards may not be used to pay for money orders, collect on delivery articles, or passport application fees; debit cards may not be used to pay for passport application fees. All payments for postage are made for the full face value. There are no discounts for the purchase of postage in any amount.

**136.2 Prepaid Mail**

Postage must be prepaid on all mailings, except business reply mail, merchandise return service mail, official (including franked) mail, and items authorized for mailing as free matter for the blind and other handicapped persons under DMM E040. The requirement for prepayment means that postage must be paid before mail is accepted, transported, or processed.

**136.3 Business Reply Mail and Merchandise Return Service**

At the time of delivery, the delivering office collects business reply mail postage plus a per-piece handling charge and merchandise return service postage. There is no per-piece handling charge for merchandise return service.

**136.4 Official Mail**

For official mail, federal agencies generally pay postage directly to Postal Service Headquarters.

**136.5 Rates**

Consolidated tables of rates, in forms ranging from wall posters to brochures and scale charts, are distributed for use by postal personnel and the public and for display in service lobbies and at self-service postal centers. In general, appropriate rates for classes of mail and other services appear in the DMM module R in chapters related to the specific class or service in question. Changes in rates and their respective implementation dates are announced in the *Postal Bulletin*. Personnel who provide retail services must familiarize themselves with all such rates and rate changes.

**136.6 Information-based Indicia Postage Paid Labels**

Information-based indicia (IBI) and other online customer postage payment options have unique revenue assurance issues that all acceptance and collection employees should be familiar with. One example is a label that appears to have been photocopied or manipulated. All IBI mailing labels are designed to be used in their entirety without the need for any modification. Labels that appear modified are candidates for fraud. Modifications include handwritten changes, obvious deliberate damage to the IBI, and any other change to the original print. All label barcode numbers are unique; no two are identical. The same barcode number appearing on more than one label indicates a photocopied label and is considered a counterfeit label. Any item identified as bearing a photocopied or duplicated label should be refused at the retail window or during carrier pickup at a residence or business. Local management should be advised when a photocopied or duplicate label has been identified. Local management may contact the Postal Inspection Service if additional guidance is needed. Another revenue assurance issue to watch for with mailpieces bearing IBI postage is an obvious weight discrepancy. The label information may indicate the weight and amount of postage paid. If the weight listed on the label is obviously incorrect, the employee handling the mailpiece should make every effort to weigh that item on a scale if one is available. If the weight on the IBI label is incorrect, proper postage was not paid. That mailpiece is considered shortpaid and should be handled

according to the appropriate shortpaid procedure for that class of mail. Some IBI mailpieces do not show the actual postage amount paid. This is sometimes referred to as “stealth postage” or “nondenominated” IBI. In these cases the postage may not be visible, but the weight, mail class, and origin ZIP code is in text format on the label, which allows identification of a weight discrepancy. If a mailpiece is found with no postage paid, the mailpiece should be marked “returned for postage” and returned to the sender.

## 137 Mail Acceptance and Handling

### 137.1 Policy

#### 137.11 Overview

This section contains general information concerning acceptance and handling of domestic and international mail and is provided as a convenient guide for use by postal employees involved in retail and retail-related services. In no instance should these general guidelines be construed to supersede the rules and regulations contained in the DMM and IMM.

#### 137.12 Retail Employees

It is Postal Service policy for retail employees to accurately advise customers on the rules of mail acceptance and to assist them in selecting the type of service best suited to their needs. Generally, retail employees must refuse prohibited mail matter, except as provided by the DMM, and items that are not properly packed, packaged, addressed, and labeled for safe handling to destinations. Regulations governing mailability are contained in DMM 600 and Publication 2, *Packaging for Mailing*.

#### 137.13 Mail Categories

All categories of mail are accepted at retail service counters. Employees at retail service counters must be prepared to classify the mail and rate it for postage according to type, class, and special services desired by customers. Single pieces of mail are normally accepted at retail service counters or through collection boxes.

#### 137.14 Commercial Mail

Mailings having postage paid through advance deposit accounts are generally accepted at business mail entry units. Postmasters must designate the times and places of business mail acceptance and ensure that it is properly accepted. Refer to Handbook DM-109, *Business Mail Acceptance*.

#### 137.15 Endorsements

Postal employees at receiving retail service counters must ensure that the mail they accept is properly endorsed. Details on the requirements for canceling and postmarking each class of mail and endorsing mail for each type of service are found in appropriate chapters of the DMM. Requirements for philatelic purposes are explained in chapter [2](#).

## 137.2 **Size and Packaging Standards**

### 137.21 **Size Standards**

DMM 101 and 201 contains the established standards for minimum size limitations on all mailable matter.

### 137.22 **Packaging Standards**

Publication 2 contains the established standards for packing, packaging, and marking mail. Acceptability of packaging is a principal criterion of mailability. Items should be packaged so that contents do not harm mailhandling personnel, other mail, or equipment. Fragile items must be packaged to withstand mail processing and transportation. Heavy items must be braced and cushioned to prevent damage to other mail.

## 137.3 **Addressing**

### 137.31 **General**

Mail should be properly addressed before acceptance. Addresses should normally contain the following information on three separate lines:

- a. Line 1: Name of intended recipient.
- b. Line 2: House or building number with street name, plus apartment number if appropriate; or a Post Office box number; or a rural route designation with a box number; or general delivery.
- c. Line 3: City name, state or state abbreviation, and ZIP Code or ZIP+4. Detailed rules and standards of addressing are contained in DMM 102, 202, and 602. See also Publication 28, *Postal Addressing Standards*.

### 137.32 **Simplified Addressing**

A *simplified address* is a delivery instruction for general distribution without individual names and addresses. Simplified addressing is authorized under certain conditions for certain classes of mail, as described in DMM 602.3.

## 137.4 **Domestic Mail Acceptance**

### 137.41 **General**

#### 137.411 **Jurisdiction and Service Levels**

Postal laws and regulations on domestic mail apply to mailings in the United States, its territories, commonwealths, and possessions, and to the mailings of overseas agencies of the United States government.

There are several classes, subclasses, and special services for domestic mail. They sometimes overlap, because it is intended that customers have a choice of service levels. Rating mail for postage requires careful study and application to the prescribed rules and regulations in the DMM. Rulings and detailed mail classification information must be provided only by qualified personnel (see DMM 607).

#### 137.412 **Nonmailable Matter and Hazardous Materials**

The conditions for preparation and packaging under which such materials are accepted are stated in [138](#), [139](#), DMM 601, and Publication 52, *Hazardous, Restricted, and Perishable Mail*. Particular conditions applicable to mailings of hazardous materials to foreign addresses are stated in the IMM. The Postal

Service will accept for mailing, in limited quantities and with proper packaging, many potentially hazardous materials that are not outwardly or of their own force dangerous or injurious to life, health, or property.

137.42 **Classes of Mail**

137.421 **Priority Mail Express**

*Priority Mail Express* is a premium expedited service with a postage refund guarantee if delivery is not made within a specified time. All mailable matter presented to the Postal Service properly prepared may be entered as Priority Mail Express. Priority Mail Express includes a variety of services for domestic, military, and foreign addresses, as specified in the DMM and IMM.

137.422 **Priority Mail**

First-Class Mail® weighing more than 13 ounces and not more than 70 pounds is called *Priority Mail*; however, customers may opt to mail matter less than 13 ounces as Priority Mail. It may not measure more than 108 inches in combined length and girth. Detailed instructions governing Priority Mail and applicable rates are found in DMM chapters 120 and 220.

137.423 **First-Class Mail**

All mailable matter presented to the Postal Service and properly prepaid may be entered as First-Class Mail. Instructions and regulations governing First-Class Mail are found in the DMM. Regulations require that handwritten or typed mail, bills and statements of account, actual and personal correspondence, and all matter sealed or otherwise closed against inspection be sent as First-Class Mail.

137.424 **Periodicals**

*Periodicals* include newspapers, magazines, and other periodical publications meeting certain eligibility requirements. Eligibility requirements, application procedures, verification procedures, and preparation requirements are contained in DMM 207, Handbook DM-202, and Handbook DM-701, Chapter 2. Periodicals rates are restricted to authorized publishers and news agents. Members of the general public may mail individual copies of Periodicals publications only at the Priority Mail Express, First-Class Mail, or USPS Marketing Mail rates.

137.425 **USPS Marketing Mail**

Printed matter, including circulars, catalogs, merchandise, and books, weighing less than 16 ounces may be mailed as *USPS Marketing Mail*. Qualifications and requirements are found in the DMM 240.

137.426 **Package Services**

There are specific Package Services (e.g., Media Mail, Library Mail, Bound Printed Matter) rates for books, sound recordings, manuscripts, bound printed matter, and other items described in the DMM. See Publication 52 for additional instructions about mailing live animals and other perishables.

137.427 **Mixed Classes**

First-Class Mail and USPS Marketing Mail matter may be enclosed in or attached to Periodicals, USPS Marketing Mail, or Package Services by a customer. The general requirement is that the appropriate rate of postage be

paid for each piece. Instructions for rating and payment of postage for mixed-class situations are contained under the Applicable Product section in the DMM.

137.43 **Other Categories of Mail**

137.431 **Mail for the Blind or Other Handicapped Persons**

Mail for blind and certain other handicapped persons is mailable under certain conditions without payment of domestic postage. Such mail is marked "Free Matter for the Blind or Handicapped" in the upper right corner, address side. Detailed instructions are contained in DMM 703.

137.432 **Official Mail**

*Official mail* is material that is authorized by law to be transmitted in the mail without prepayment of postage. Official mail weighing 13 ounces or less is considered First-Class Mail unless otherwise endorsed by the sender. Unendorsed official mail that weighs more than 13 ounces but less than 16 ounces is considered USPS Marketing Mail; if it weighs 16 ounces or more it is considered Package Services.

There are two types of official mail:

- a. *Franked mail* consists of material relating to the business of Congress that is sent by members of Congress or other congressional officials specified by law. Limited other officials including former Presidents and surviving spouses of former Presidents are also entitled to send franked mail. Instead of postage, these items bear a written or facsimile signature of the authorized sender and other required indicia as appropriate.
- b. *Penalty mail* consists of material relating exclusively to the business of the government of the United States that is sent by agencies of the United States government. All material sent under this privilege must bear a complete agency return address, the preprinted phrases "Official Business" and "Penalty for Private Use, \$300," and one of the required penalty indicia formats described in DMM 703.

137.44 **Accountable Mail**

137.441 **General**

Special services are available that provide proof of mailing, proof of delivery, or indemnification for loss or damage. These services include Certified Mail, Registered Mail, Collect on Delivery (COD), Insured Mail, Return Receipt, and Merchandise Return Service. Because records are kept concerning each item of mail receiving these special services, such mail is called *accountable mail*.

137.442 **Certified Mail**

*Certified Mail* provides a record of delivery maintained by the U.S. Postal Service. When the mailpiece is accepted at the Post Office counter, a postmarked sender's receipt of mailing must be provided. No record is kept at the office of origin. Return receipts and restricted delivery are provided for additional fees in accordance with DMM 503.

**137.443 Registered Mail**

*Registered Mail* provides added protection for valuable or important mail. All mailable matter prepaid with postage at First-Class Mail or Priority Mail rates may be registered in accordance with DMM 503. Registered Mail provides a receipt to the sender, special security between shipment points, a record of acceptance and delivery maintained by the U.S. Postal Service, and, at the option of the mailer and for an additional fee, indemnity in case of loss or damage. Postal employees are not permitted to assist customers in the preparation or sealing of mail to be registered. Return receipts and restricted delivery are provided for additional fees in accordance with [822](#) and [823](#).

**137.444 Collect on Delivery (COD) Mail**

*Collect on Delivery (COD)* provides a method whereby the Postal Service delivers the mail only upon receipt of the funds to be collected. The recipient pays by check payable to the sender or by cash transmitted via a U.S. Postal Service money order. First-Class Mail and USPS Marketing Mail and Package Services may be sent as COD mail. Checks may be accepted for payment of COD mail in accordance with [815](#) and DMM 503.

**137.445 Insured Mail**

Insurance is available upon payment of an additional fee. Insurance covers loss, rifling, or damage to mailed items. Priority Mail and items sent at the First-Class Mail rate that contain Package Services matter, and official mail (U.S. government) bearing the "Postage and fees paid" endorsement also may be insured. A Return Receipt may be provided for an additional fee in accordance with [822](#) and [823](#). See DMM 503 for detailed information.

**137.45 Special Services Mail****137.451 Certificate of Mailing**

A *certificate of mailing* provides proof that an item was mailed. A fee is charged for this service. No duplicate record of acceptance is maintained by the Post Office, and the certificate provides no insurance for damage or loss. See [821](#) for detailed information.

**137.452 Special Handling**

*Special handling* provides preferential handling to the extent practicable in dispatch and transportation. See DMM 503 for detailed information.

**137.453 Delivery Confirmation**

*Delivery Confirmation* provides the customer with information about the date and time an article was delivered or, if delivery was attempted but not successful, the date and time of the delivery attempt. Delivery information can be obtained from an electronic file, via the *Postal Service Internet* at <http://www.usps.com/ship/ship-a-package.htm>, or by calling the toll-free number noted in [816.24](#). No acceptance record is kept at the office of mailing. See [816](#) and DMM 503 for detailed information.

**137.454 Signature Confirmation**

*Signature Confirmation* provides the customer with information about the date and time an article was delivered or, if delivery was attempted but not successful, the date and time of the delivery attempt. The delivery record, including the recipient's signature, is available via fax or mail, upon request.



Delivery information can be obtained from an electronic file, via the *Postal Service Internet* at <http://www.usps.com/ship/sip-a-package.htm>, or by calling the toll-free number noted in 817.24. No acceptance record is kept at the office of mailing. See 817 and DMM 503 for detailed information.

137.46 **Mailable Matter Not Bearing Postage Found in or on Private Mail Receptacles**

If the person, firm, or distributor responsible for the impermissible use of the private mail receptacles is within an area served by another Post Office, a sample piece is sent with a report of the facts to the postmaster at that location with a request for action under DMM 508.

137.47 **Additional Information**

For information on mailing to offshore/noncontiguous domestic destinations, to overseas military Post Offices, and through the Department of State to U.S. Foreign Service personnel abroad and for a list of the areas affected, see DMM 608 and 703.

137.5 **Priority Mail Express Acceptance**

137.51 **Description**

Priority Mail Express is available for sending any mailable matter meeting the eligibility, size and weight, preparation standards, and the postage payment standards in DMM 110 and 210. The International Mail Manual contains the mailing standards for Priority Mail Express International Service and the available destination countries.

137.52 **Priority Mail Express Next Day Service®**

137.521 **Acceptance**

Priority Mail Express Next Day Service items are accepted at designated postal facilities, at designated Priority Mail Express collection boxes, and by pickup service, for overnight service to designated destination 3-digit ZIP Code delivery areas, facilities, or locations. Next Day Service items must be presented by the times authorized by the postmaster.

Each designated acceptance facility must keep an Priority Mail Express Next Day Service directory showing, for the 3-digit ZIP Code area in which the facility is located, the following information:

- a. The 5-digit ZIP Code areas to which next-day delivery service by noon is offered.
- b. The 5-digit ZIP Code areas to which next-day delivery service by 3 p.m. is offered.
- c. A list of facilities at which Next Day Service mail can be claimed.

137.522 **Verification**

Any Next Day Service item must be verified at the time of mailing to ensure that the appropriate label is completed, the correct postage is paid, and the item is destined to a 3-digit or 5-digit ZIP Code area to which next-day delivery is offered from that point of origin. Any such item deposited in a collection box or handed to a carrier must be verified only at an Priority Mail Express unit designated by the postmaster.

If a Next Day Service item that is brought to an acceptance unit is found not to have the appropriate label completed or the sufficient postage affixed, the mailer must be notified so that the label can be corrected or the insufficient postage paid. For an insufficiently paid item that is undeliverable for any reason, the item is returned to the mailer on payment of the deficient postage. An undeliverable Priority Mail Express item not bearing a return address must be disposed of under the procedures in [68](#) and [69](#).

### 137.53 **Priority Mail Express Second Day Service**

#### 137.531 **Acceptance**

Priority Mail Express Second Day Service items are accepted at designated postal facilities, at designated Priority Mail Express collection boxes, and by pickup service. Second Day Service items must be presented by 5 p.m. or such later time as authorized by the postmaster. Second Day Service is available to and from 3-digit and 5-digit ZIP Code destinations not listed in the Priority Mail Express Next Day Service directory.

#### 137.532 **Verification**

Any Second Day Service item must be verified at the time of mailing to ensure that the appropriate label is completed, the correct postage is paid, and the item is destined to a 3-digit or 5-digit ZIP Code area to which second-day delivery is offered from that point of origin. Any such item deposited in a collection box or handed to a carrier must be verified only at an Priority Mail Express unit designated by the postmaster.

If a Second Day Service item that is brought to an acceptance unit is found not to have the appropriate label completed or the sufficient postage affixed, the mailer must be notified so that the label can be corrected or the insufficient postage paid. For an insufficiently paid item that is undeliverable for any reason, the item is returned to the mailer on payment of the deficient postage. An undeliverable Priority Mail Express item not bearing a return address must be disposed of under the procedures in [68](#) and [69](#).

### 137.54 **Priority Mail Express Military Service**

#### 137.541 **Acceptance**

Priority Mail Express Military Service (PMEMS) items are accepted at designated retail postal facilities for 2-day or 3-day service to designated Army Post Office/ Fleet Post Office (APO/FPO) 5-digit ZIP Codes and at designated APO/FPO facilities for 2-day or 3-day service to designated 3-digit destination ZIP Code areas, facilities, or locations in the United States. Any 2-day PMEMS acceptance office may accept PMEMS items for 3-day service after the local cutoff time for normal 2-day service. Designated APO/FPO facilities overseas may accept 3-day service PMEMS items for 3-digit destination ZIP Code areas in the United States not included on their 2-day service network. Service to or from an APO/FPO not designated as an PMEMS area, location, or facility is prohibited. PMEMS Custom Designed Service and drop shipment are available to authorized APO/FPO destinations. PMEMS must be presented by the time authorized by the local postmaster.

Each designated facility must keep an PMEMS directory showing both 2-day and 3-day service areas for the 3-digit or 5-digit ZIP Code area in which the facility is located. The directory must include the following information:

- a. For U.S. Post Offices, the 5-digit APO/FPO ZIP Codes to which PMEMS is offered.
- b. For overseas APOs and FPOs, the 3-digit U.S. Post Office ZIP Code areas to which PMEMS is offered.

#### 137.542 **Verification**

Any PMEMS item must be verified at the time of mailing to ensure that the appropriate label is completed, the correct postage is paid, and the item is destined to a 5-digit ZIP Code area to which PMEMS is offered from that point of origin. Any such item deposited in a collection box or handed to a carrier must be verified only at an Priority Mail Express unit designated by the postmaster.

If an PMEMS item that is brought to an acceptance unit is found not to have the appropriate label completed or the sufficient postage affixed, the mailer must be notified so that the label can be corrected or the insufficient postage paid. For an insufficiently paid item that is undeliverable for any reason, the item is returned to the mailer on payment of the deficient postage. An undeliverable Priority Mail Express item not bearing a return address must be disposed of under the procedures in [68](#) and [69](#).

### 137.6 **International Mail Acceptance**

#### 137.61 **General**

The United States Postal Service exchanges mail with other countries in accordance with U.S. domestic laws and regulations and with international postal treaties and conventions.

Mailing conditions and operational procedures adopted to implement the provisions of these laws, treaties, and conventions are set forth in the IMM.

#### 137.62 **Classes of Mail**

Classes and types of international mail resemble those of domestic mail, but with country-by-country variations on rates, mailability, special services, sizes, and sealing limitations (see IMM 141).

Persons engaged in retail operations must know how to use the IMM efficiently to look up the special destination country requirements and rates applicable to any particular mailing.

#### 137.63 **Suspension of International Service**

It is Postal Service policy to accept mail for foreign destinations in accordance with all applicable laws, regulations, and treaty or convention provisions.

From time to time, because of war, disaster, civil disturbance, or other cause, it may be necessary to suspend (embargo) mail service to certain foreign destinations. When this is done, public announcements are made in the *Postal Bulletin*, and it is the responsibility of persons engaged in retail operations not to accept such mail, citing the public announcement as the reason.

Signs announcing suspensions of service must be placed prominently in the retail service lobby and on or near mail acceptance units.

## 137.7 **Mailhandling**

### 137.71 **Access to Mail and Mailhandling Areas**

Authority for access to mail and mailhandling areas in postal facilities is restricted to duly sworn postal employees and postal contractors on official business. Nonpostal maintenance personnel are permitted access to mailhandling areas only when postal employees are on duty there. All other persons (including former employees and off-duty employees) must be specifically authorized access by the postal supervisor of the area involved.

### 137.72 **Recall of Mail**

Mail matter may be recalled after acceptance only by the addressee, the sender, or the lawful designee of either. Regulations governing recall of mail are contained in DMM D030.

### 137.73 **Requests for Surrender of Mail**

Postal employees served with legal process (for example, a state court order, search warrant, or other legal notice) purporting to require the surrender of mail should respectfully refuse to surrender the mail and should explain that the mail came into their custody by reason of their official employment, and direct the matter to the Inspection Service.

**Exception:** A search warrant duly issued (by a federal court or served by a federal officer) under Rule 41 of the Federal Rules of Criminal Procedures (see ASM 274.6).

## 138 **Nonmailable Matter — Written, Printed, and Graphic**

### 138.1 **Advice to Mailers — Mailability Decisions**

#### 138.11 **General Advice**

When a postal customer seeks advice on whether, or under which conditions, particular matter described in DMM C010 and DMM C030 may be mailed, the customer's attention should be called to any relevant provisions of those standards, and the customer may be assisted in using and understanding those provisions.

#### 138.12 **Mailer's Responsibility**

The mailer is responsible for complying with applicable postal laws and regulations governing mailability and preparation for mailing, as well as nonpostal laws and regulations on the possession, treatment, transmission, or transfer of particular matter. The general requirements applicable to preparation, packaging, and packing of mailable matter are in DMM C010. Special requirements applicable to preparing, packaging, and packing of potentially dangerous matter are explained in DMM C020.

**138.13 Certain Mailability Decisions Not Authorized**

Postmasters are not authorized to decide whether written, printed, or graphic matter is, because of its content, nonmailable. Postmasters are not permitted to deny entry to such matter or exclude it from the mail. As stated in [138.11](#), postmasters should call the attention of prospective mailers of such matter to all apparently relevant provisions of DMM C030. After being so informed, if the mailer requires that matter described in DMM C030 be accepted, it must be treated under [138.14](#). Written, printed, or graphic matter not properly prepared for mailing can be refused.

**138.14 Referral to Inspection Service**

A report about written, printed, or graphic matter found in the mail that appears nonmailable must be sent to the Inspection Service. Such matter may not be withheld from dispatch or delivery unless the Inspection Service, acting under ASM 274, instructs such withholding.

**138.15 Opening or Inspecting Mail**

Mail may not be opened, detained, delayed, or inspected, except under ASM 274.

**138.16 Applicability to Military Postal System**

DMM 703 apply to the military postal system, its employees, and undelivered mail that is or has been in the official custody of the system and its employees. References in [138](#) to the Inspection Service refer to the Postal Inspection Service and its authorized personnel, not to military investigative services.

**138.2 Sexually Oriented Advertisements****138.21 Application for Listing****138.211 Completion of Postal Service Form**

A person may invoke the protection of 39 U.S.C. 3010 by completing and filing, with any postmaster or other designated Postal Service representative, PS Form 1500, *Application for Listing and/or Prohibitory Order*. This form may be obtained at any Post Office.

**138.212 Authorized Filers**

A person may file in his or her own behalf and in behalf of any of his or her children under the age of 19 years who reside with that person or are under that person's care, custody, or supervision. An authorized officer, agent, fiduciary, surviving spouse, or other representative may file in behalf of a corporation, firm, association, estate, or deceased or incompetent addressee.

**138.213 Weekly Transmission of Applications**

Postmasters must send all completed applications weekly to the Prohibitory Order Processing Center (POPC).

**138.214 Entry on Postal Service List**

After receiving a PS Form 1500, the POPC enters the customer's name and address (and the names and addresses of minor children) on the application into the Postal Service's computerized list of persons who do not want to receive sexually oriented advertisements. This information is processed and

the list updated monthly. The 30-day period under section 3010(b) starts on the effective date of the list on which the person's name first appears.

138.215 **Five-Year Retention on List**

A person's name and address are kept on the list for 5 years, unless a request for revocation is filed sooner by that person. A person must file a new application at the end of the 5-year period to remain on the list. The names and addresses of minor children are removed automatically from the list when they reach 19 years of age. A minor must file an original application in his or her own behalf if that person wants to continue his or her name on the list after reaching 19 years of age.

138.216 **Separate Applications for Different Addresses**

The filing of a single application results in the listing of a single address for the person filing. A person who receives mail at more than one address and who wants the protection of 39 U.S.C. 3010 at more than one address should file a separate application for each. A person who moves must file a new application to receive the protection of 39 U.S.C. 3010 at the new address. The submission of PS Form 3575, *Change of Address Order*, is not effective for this purpose. It is not a violation of 39 U.S.C. 3010 to mail a sexually oriented advertisement to a person at an address other than that which is shown for him or her on the list. It is a violation, however, to mail such an advertisement to that person at the address shown for him or her even though that person has moved from that address.

138.22 **Violations**

138.221 **Partial Listing**

The following is a partial list of conduct that can violate 39 U.S.C. 3010 or 18 U.S.C. 1735:

- a. The mailing of a sexually oriented advertisement in an envelope or other wrapper that does not bear the name and address of the sender and the legend "Sexually Oriented Ad," under DMM 601.
- b. The mailing directly or indirectly of a sexually oriented advertisement to a person whose name and address have been on the list for more than 30 days.
- c. The sale, loan, lease, or licensing of the use of the list or a copy thereof in whole or in part.
- d. The use of the list or a copy of it in whole or in part for any other purpose than to ensure that no mailings of sexually oriented advertisements are made to persons on the list.

138.222 **Compliance With Law**

No person who mails sexually oriented advertisements only to persons who have requested to receive the same is deemed to have violated the statute or regulations, if that person is otherwise in compliance with the law, whether or not that person purchased and used the Postal Service list.

138.223 **Customer Reporting of Unsolicited Advertisements**

A person who wants to report receipt of unsolicited sexually oriented advertisements after his or her name and address are on the list for more than 30 days should submit the entire mailpiece, including the envelope or

other wrapper, to any postmaster. The mailpiece must have been opened by the addressee. When submitting the mailpiece, the addressee must endorse the envelope or other wrapper and the contents thereof in substance as follows: "I received this mailpiece on (date)," and sign the statement. He or she should also state the identifying number appearing on his or her application if it is known (see [138.211](#)). The postmaster of the installation to which the mailpiece is submitted must send it without delay to the inspector in charge of the Inspection Service division with geographical jurisdiction over the address of the mailer.

**138.224 Postal Service Employee Reporting of Unsolicited Advertisement**

If a violation of DMM 601 comes to the attention of any Postal Service officer or employee, that person must, through his or her postmaster, report such violation to the postal inspector whose territory includes that postal installation. Mail of a mailer in violation or apparent violation of 39 U.S.C. 3010 may not be refused for dispatch or delivery without a proper court order. Instructions to postmasters must be issued if a court order is obtained.

**138.225 Customer Inquiry of Name on Postal Service List**

A customer who wants to know whether his or her name is on the list should write to the Prohibitory Order Processing Center at the following address:

PRICING AND CLASSIFICATION SERVICE CENTER  
PO BOX 1500  
NEW YORK, NY 10008-1500

**139 Nonmailable Matter — Articles and Substances:  
Special Mailing Rules**

**139.1 General Provisions**

**139.11 Rules and Procedures**

**139.111 Mailer's Responsibility**

The mailer must comply with applicable postal laws and regulations on mailability and mail preparation, as well as nonpostal laws and regulations on the shipment of particular matters. General requirements for preparation, packaging, and packing of mailable matter are in DMM 601.

**139.112 Dangerous Materials Notices**

Postmasters and other managers of postal facilities must prominently display in Post Office lobbies, acceptance areas, and at self-service postal centers a notice containing the following language: "Mailing extremely dangerous materials, and potentially dangerous materials that are prepared improperly, is prohibited by law. You must ensure that your mailings comply with the law. Ask about postal requirements before you deposit any questionable materials into the mail."

**139.113 Procedure for Acceptance Clerks**

Acceptance clerks must follow these procedures:

- a. If the content of an article presented for mailing is described by the mailer or otherwise revealed to be nonmailable, the acceptance clerk must refuse to accept the article and must explain the reasons to the

mailer (see Publication 52, *Hazardous, Restricted, and Perishable Mail*, and the IMM).

- b. Acceptance clerks must watch for substances that are nonmailable as packaged and, where such substances are identified, must advise the customer of the preparation and packaging requirements that must be satisfied before such substances are acceptable for mailing (see Publication 52 and the IMM). If the customer fails to show that the matter is mailable as packaged, the employee must refuse to accept the article and must explain the reasons to the mailer.

#### 139.114 **General Advice to Mailers**

When a customer seeks advice about whether or how to mail particular matter, or where it appears likely that a customer is to mail dangerous matter (as described in DMM C020), the customer's attention must be called to the relevant provisions of those standards and any official Postal Service guides to mailing such as Publication 52. Technical questions about the proper preparation or packaging of matter may be referred to the RCSC. The scope of a postmaster's authority to decide whether particular matter is nonmailable under DMM 601 and to exclude such matter from the mail under that decision is determined by [139.116](#). Mail may not be opened, detained, delayed, or inspected except under ASM 274.

#### 139.115 **Other Laws and Regulations**

Other laws and regulations can apply to the mailings:

- a. Particular matter may be mailable under postal statutes and regulations, but customers may have responsibilities under nonpostal statutes and regulations concerned with possession, treatment, transmission, or transfer of such matter. See, for example, 49 CFR, parts 100 through 177 (Department of Transportation Regulations); the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513), 21 U.S.C. 801, *et seq.*; and the Gun Control Act of 1968 (Public Law 90-618), 18 U.S.C. 921, *et seq.* Postmasters must not give opinions about whether mailing particular articles and substances (see DMM 601) would violate or comply with nonpostal laws and regulations administered by agencies other than the Postal Service. Postmasters who know the existence of such laws or regulations should refer the customer to the appropriate government agency. For example, postal customers with questions about the interstate shipment of rifles or shotguns should be referred to the nearest regional administrator of the Bureau of Alcohol, Tobacco and Firearms or to the Director, Bureau of Alcohol, Tobacco and Firearms.
- b. Title 18 U.S.C., chapter 119, constitutes a statutory system of regulating interception of wire, oral, or electronic communications. Any person contemplating the mailing of a device primarily useful for surreptitiously effecting such interception should consider the provisions of chapter 119, particularly section 2512. This statute makes it a crime, unless otherwise provided in chapter 119, for a person intentionally to send through the mail any device whose design that person knows, or has reason to know, renders the device primarily useful for surreptitious interception of wire, oral, or electronic



communications. The statute does not declare that such a device in itself is nonmailable matter but, as shown, provides criminal penalties for the act of intentionally mailing it. Customers who need advice on the applicability of this prohibition to contemplated mailing activities should consult private legal counsel.

139.116 **Authorized Mailability Decisions**

Postmasters or other designated personnel under a postmaster's supervision may decide whether articles and substances other than written, printed, or graphic matter are nonmailable and must, where appropriate, refuse to accept for mailing such matter determined to be nonmailable. Where necessary, the Pricing & Classification Service Center (PCSC) should be consulted in determining mailability. If the mailer wants to review the initial decision, the postmaster or designated subordinate personnel must, with the mailer's consent, refer a sample and send a complete statement of the facts to the PCSC manager. After the manager's decision is made, further appeal may be made by the mailer under 39 CFR 953, Rules of Practice in Proceedings Relative to Mailability. Postmasters and designated subordinate personnel are authorized to take any steps reasonable and necessary to protect Postal Service employees and equipment from the effects of potentially dangerous, injurious materials or substances found in the mail (see ASM 223.4).

139.117 **Referral to Inspection Service**

Matter within the following categories, when found in the mail, should be held temporarily, and the Inspection Service should be advised immediately. Such matters should thereafter be disposed of under instructions promptly furnished by the Inspection Service. These categories of matter are nonmailable firearms and switchblade knives; controlled substances; motor vehicle master keys and locksmithing devices; alcohol; and explosive, incendiary, or hazardous materials or devices that may present an immediate threat to persons or property (see Publication 52). This provision does not authorize the opening or inspection of any mail.

139.118 **Referral to PCSC**

Except for matter described in [139.117](#) and overweight/oversized items subject to DMM 601.1.2, all matter found in the mail and believed to be nonmailable must be returned to sender, and a report fully describing such mailing must be referred to the PCSC director.

139.119 **Administrative Appeals**

A mailer aggrieved by any mailability decision by the PCSC manager may file a written notice of appeal with the Postal Service Recorder, Judicial Officer Department, with a copy or description of the determination or ruling in question. See 39 CFR 953, Rules of Practice in Proceedings Relative to Mailability.

139.2 **Firearms, Knives, and Sharp Instruments (18 U.S.C. 1715, 1716)**

Postmasters are not authorized to give legal opinions about the shipment of rifles or shotguns, knives, or sharp instruments (see [139.115](#)).

## 14 Other Retail Services Management

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### 141 Delivery Services

#### 141.1 General

This section concerns mail delivered by clerks at postal facilities. These types of delivery services involve significant volume and include general delivery, Post Office box and caller service, and, in some instances, firm holdout service. Additionally, clerks often deliver mail to customers who present notices of attempted delivery.

For detailed regulations concerning the availability of these services, customer and Postal Service obligations, and the appropriate rates, see DMM D900, Handbook M-39, *Management of Delivery Services*, and [142](#) and [84](#) of this book.

#### 141.2 General Delivery Service

*General delivery* is intended primarily for use at offices without carrier delivery and for residents not eligible for carrier delivery service, to serve transients, and for other customers who are not permanently located. Mail endorsed “Transient, to be called for, general delivery” or with other suitable words will be placed in the general delivery case to be delivered to the addressee upon request at a retail service counter and with proper identification. Persons living permanently in cities having carrier delivery service and who have good and sufficient reasons satisfactory to the postmaster may receive their mail at general delivery retail service counters. (See DMM 508.)

#### 141.3 Firm Holdout Service

Customers who normally receive 50 or more letters on the first delivery trip and who request to pick up mail may be provided *firm holdout service*. Firm mail may be a direct holdout or may be withdrawn from the carrier’s case. For each customer, employees complete a PS Form 3801, *Standing Delivery Order*. Indicate on the form the type of mail (i.e., letter, Parcel Post, or all mail the firm will pick up) and obtain the signature of each firm employee or the designated agent authorized to pick up the mail. Carriers cannot make a first delivery to customers receiving holdout service, but may make subsequent delivery of mail where such service is provided by multiple trip routes. This service does not withdraw established service.

No charge is made for firm holdout service under these provisions.

In all other cases, customers requesting to call for their mail will be afforded service in accordance with [841](#), [842](#), or [843](#).

#### 141.4 Post Office Box and Caller Services

##### 141.41 General

Post Office box and caller services are premium services provided for the convenience of customers for a fee.

**141.42 PO Box Service****141.421 General**

PO Box service consists of delivery to PO Boxes assigned to customers. These boxes are located at Postal Service facilities, subject to customer demand and the Postal Service's ability to provide them. The boxes are arranged in different configurations and must follow certain equipment and numbering requirements (see [141.424](#)).

**141.422 Standards for PO Box Service**

At a minimum, customers must have access to their PO Boxes during all retail service hours of operation. Separate PO Box lobbies should remain open when someone is on duty in the postal unit. At the postmaster's discretion, lobbies may remain open 24 hours a day to allow customers access to PO Boxes and self-service equipment, provided that customer safety and security provisions are deemed adequate by the Inspection Service.

**141.423 PO Box Service Up-Time**

Each unit must have a scheduled PO Box up-time for committed box mail to be finalized and available to the customers. This up-time varies from unit to unit and is established based upon variables, such as mail arrival time, average mail volume per trip, and staffing availability.

Schedule PO Box services during hours that meet the needs of a majority of customers in the local area. Time PO Box up-times to match carrier leave times, because this is the time of day when all mail is available for distribution to PO Boxes. The local postmaster is responsible for establishing the local PO Box up-time with district approval. This PO Box up-time is required to be posted in the retail lobby to inform customers and in the box distribution area for the employees working the mail. Postmasters should strive to have all mail in PO Boxes as early as operationally possible to attract and retain customers to this premium mail service.

**141.424 Configurations**

PO Box service is provided through the following configurations:

- a. A PO Box unit is any number of PO Box sections that comprise the total PO Boxes in a facility that is under one 5-digit ZIP Code.
- b. A PO Box module is any configuration of standard-size boxes having the same overall dimensions as an assembly of the smallest size configured two high and six wide.
- c. A PO Box module unit is a unit composed of five PO Box modules arranged vertically. (In some cases, the module will exceed 72 inches in height.)
- d. A section is two PO Box module units side by side (with a maximum width of approximately 48 inches). For series 700, 1300, and others, a maximum width of 48 inches applies.

A PO Box section should not exceed 120 boxes or be wider than 48 inches. In cases where the physical layout of a PO Box section unit involves inside corners or outside corners (from the viewpoint of the box clerk) that separate two box module units that would normally make up a box section, consider the following:

- (1) In the case of an inside corner, if one of the walls contains an odd number of module units, include the odd module unit with the adjacent two units to form the box section. If both walls contain an odd number of module units, the units adjacent to the corner, if within arms' reach of each other, may be combined to form a box section. If an odd module unit is not within arms' length of an adjacent unit, the module unit should be designated as a box section by itself.
- (2) In the case of an outside corner, when there is an odd number of PO Box module units, one PO Box module unit will constitute a PO Box section when necessary.

**Note:** All new PO Box sections must conform to the guidelines in [141.425](#). Existing box sections should be made to conform to these standards, when practicable.

#### 141.425 Requirements

Equipment and numbering requirements are as follows:

- a. Equipment:
  - (1) Key-locking models of PO Boxes are the only types available for installation in new facilities or for expansion or replacement of existing PO Box sections. Surplus key-locking equipment may be used to match styles upon expansion of currently existing PO Box sections.
  - (2) The 1800 series of PO Box equipment should not be used in the same PO Box section as 1500 series or earlier equipment models.
  - (3) Antique call box equipment may no longer be used for the provision of PO Box service; however, the equipment may be used as an adjunct to general delivery.
  - (4) Damaged PO Boxes must never be rented to customers. PO Boxes that have already been rented but are damaged must be repaired as soon as possible.
- b. Numbering:
  - (1) Number all PO Boxes sequentially.
  - (2) Number all PO Boxes vertically from top to bottom. The top box of each column of boxes should end in the number 1 (for example, 1, 11, 21, 31, 41, 51, and 61). Do not use alphabetical designations.
  - (3) The district Address Management System (AMS) office must approve, in advance of the installation and customer notification, numbering deviations where columns contain more than 10 boxes.
  - (4) PO Box numbers must all be numeric and must not be repeated within a finance number.

**141.43 Caller Service**

Caller service is a premium service available for a fee to any customer under the following conditions:

- a. The customer plans to receive an incoming volume of mail that cannot fit into the largest available PO Box.
- b. The customer wants a PO Box but a box is unavailable.
- c. The postmaster determines that such service does not adversely affect postal operations.
- d. The customer is not receiving firm holdout service.

To establish caller service, postmasters must do the following:

- a. Obtain a series of box numbers from AMS for caller service that is completely separate and apart from the numbers assigned to the physical PO Boxes.
- b. Determine the scheduled times and locations for the provision of caller service. The designated location for the customer to retrieve his or her mail must not compromise the Postal Service's security guidelines.

**142 Metered Postage Services****142.1 General****142.11 Description**

There are two primary categories of metered postage:

- a. Metered postage imprinted by machines that are privately rented by mailers.
- b. Metered postage imprinted by Postal Service-owned machines.

**142.12 Security of Equipment**

Postal-owned postage meters are restricted items that must be handled securely in accordance with Handbook AS-701, *Material Management*. This meter equipment must not be assigned to contract stations, branches, or community Post Offices. Contractors may rent a postage meter at their own expense, however, subject to the same rules and regulations that apply to private mailers.

**142.13 Exceptions**

Postage may be paid by meter stamps on any class of mail other than Periodicals. Metered mail is entitled to all the privileges and subject to all the conditions applying to the various classes of mail.

**142.2 Customer-Operated Metered Postage**

Mailers usually find it more efficient to imprint metered postage directly on large-volume mailings or on metered tapes that are affixed to each piece, rather than to use adhesive stamps for this purpose. Mailers rent postage meter machines from manufacturers authorized to distribute meters by the Postal Service. Applications for licenses for their use are accepted at the Post Office where the metered mail will be deposited. After approval of an application, the postmaster issues a license, for which there is no fee.

### 142.3 **Postal Service-Operated Metered Postage**

The Postal Service provides postage meters for use at retail service counters where the volume and type of mail being accepted justifies their use, such as to dispense postage for parcels and other purposes.

### 142.4 **On-Site Meter-Setting Service**

Postage meter-setting service may be provided by retail employees at business locations of customers who may find it inconvenient to bring their meters into the Post Office for setting. Fees are charged for this service. Postmasters decide when and where to offer the on-site service based upon customer demand and location, plus the cost and revenue considerations of providing the service. Postmasters may obtain assistance in making such decisions from Retail Systems and Equipment, Headquarters.

## 143 **Photocopy Service**

### 143.1 **Policy**

The Postal Service permits the installation of coin-operated photocopying machines in the lobbies of offices for customer use in many areas. The machines are owned and maintained by commercial firms, which are selected on a competitive basis. A portion of the proceeds from these machines is paid to the Postal Service. Details on how and where to provide photocopying service may be obtained from the district manager, Customer Service Support, or Handbook PO-208, Part 263.

### 143.2 **Noncompetitive Requirement**

The Postal Service does not compete unfairly with private coin-operated photocopy services. The distance between the Post Office premises in which a photocopy machine installation is proposed and a private coin-operated photocopy service must be at least one block or 500 feet. For these purposes, a block is defined as the entire unit where the Post Office structure is located and the opposite sides of the streets around that structure. In small communities (10,000 or less population), the distance should be extended to two or three blocks. When applying this rule, do not consider machines located in libraries, schools, or other public buildings. If the Post Office machine was installed before a private concern put in a machine, the Post Office machine may remain in service.

## 144 **Self-Service Vending**

### 144.1 **General**

#### 144.11 **Description**

Many customer needs are met faster and more efficiently by self-service vending equipment that offers basic postal products and services in areas convenient to the public. Such equipment may be installed in postal facilities or at nonpostal locations. The configurations range from a single small stamp vending machine to large self-service postal centers. See Handbook PO-102, *Self Service Vending Operational and Marketing Program*, for specific details regarding self-service vending.

**144.12 Responsibilities**

Self-service vending equipment, when installed in postal facilities, must be kept operable and available to customers during all business and box lobby hours. Each manager in whose postal facility a self-service unit is located is responsible for ensuring the operability of the equipment. Postmasters are also responsible for informing customers of the advantages, locations, and products available from self-service and vending equipment. In nonpostal locations, self-service vending equipment must also be kept operable and available to customers during all times the mall or other operating location is open for business.

**144.13 Value**

All stamps and products vended by self-service equipment owned by the Postal Service are sold at face value.

**144.14 References**

The following are sources of information on self-service vending equipment:

- a. Sections [144.2](#) through [144.5](#) describe the various configurations of self-service vending equipment in use and the policies underlying their installation and operation.
- b. Handbook PO-102, *Self Service Vending Operational and Marketing Program*.
- c. Numerous technical manuals are available concerning the operation and maintenance of particular pieces of equipment. The principal handbook that addresses the management of self-service retailing operations is Handbook PO-102.

**144.2 Stamp Vending Machines**

Stamp vending machines vend stamps off large coils and are normally installed in smaller Post Offices, stations, and branches where there is a need for service after closing hours or to alleviate the wait in line for single stamp sales. A single stamp vendor may be used in conjunction with a booklet vendor if the traffic warrants. This type of machine is to be used where there is not enough business to justify a postal commodity machine. In larger locations, a small stamp vendor may be placed near a postal commodity machine. Criteria for placement are found in Handbook PO-102.

**144.3 Booklet Vending Machines**

Booklet vending machines can hold approximately a box of booklets in a crisscrossed stack and are normally installed in smaller Post Offices, stations, and branches where there is a need for service after closing hours or to alleviate the wait in line for stamp booklet sales. This type of machine is to be used when sales exceed the revenue required for a single small stamp vendor but where there is not enough business to justify a postal commodity machine. Criteria for placement are found in Handbook PO-102.

**144.4 Booklet/Stamp Combination Machines**

Combination machines selling four selections of booklets and two single stamp selections may be used in both postal and nonpostal locations. This

type of machine is used when sales exceed single stamp and single booklet vendors but where there is not enough business to justify a postal commodity machine.

#### 144.5 **Postal Commodity Machines**

Postal commodity machines provide stamp booklets, commemorative and definitive vending packets, aerogrammes, long and short stamped envelopes, stamp coils of 100, Priority Mail Express packets, and Priority Mail packets. The types of products to be sold in these machines are outlined in the specific maintenance series handbook designated for the postal commodity machine. These machines are installed in postal facilities where there is a need for more service than is provided by small stamp vendors and/or booklet vendors but where a full self-service postal center (SSPC) is not warranted. They may also be installed at nonpostal locations where adequate protection exists. Criteria for placement are found in Handbook PO-102.

#### 144.6 **Self-Service Postal Centers**

##### 144.61 **Criteria**

Self-service postal centers (SSPCs) are installed in postal facilities where there is a need for more service than is provided by a single postal commodity machine, booklet/stamp combination machine, small stamp vendor, or booklet vendor. SSPCs may be installed at nonpostal locations where adequate protection exists. See Handbook PO-102 for deployment criteria.

##### 144.62 **Equipment Configuration**

Self-service postal centers generally contain the following items:

- a. A stamp vending machine providing one or more stamps of the most commonly used denominations.
- b. A postal commodity machine providing the designated vending items for that type of machine.
- c. A booklet/stamp combination machine can be used in lieu of stamp vendor or commodity machine.
- d. A currency changer that changes \$1 bills into quarters, dimes, and nickels for use in vending machines. Currency changers are to be used only if the vending equipment does not already take bills.
- e. A parcel depository, when available.
- f. An automatic computing parcel scale and/or letter scale.
- g. Publication 65, *National Five-Digit ZIP Code and Post Office Directory*.
- h. Customer information signs providing information on postage rates and mailing procedures only if this information is not available on the scale.
- i. A letter collection receptacle.
- j. Telephone for customer use in case equipment is out of order.
- k. Claims for refunds.

All claims for refund of money lost through self-service retail vending equipment must be handled expeditiously. All retail service and other employees who handle such claims or complaints must acquire a thorough working knowledge of the refund procedures contained in Handbook PO-102.



## 145 Exchanges and Refunds for Payment of Excess Postage

### 145.1 Processing Refunds for Postage Stamps on Business Reply Mail, Postage Meter Stamps, Meter Impressions, Permit Imprints, or Rejected Personalized Envelopes

#### 145.11 Authorizing Refunds

- a. The requester submits a completed PS Form 3533, *Application and Voucher for Refund of Postage, Fees, and Services*, with postage stamps on business reply envelopes, postage meter stamps, envelopes, or other evidence requested for refund to the Post Office.
- b. A Post Office employee reviews the application and supporting papers.
- c. A Post Office employee and a witness destroy the postage stamps on business reply envelopes, postage meter stamps, envelopes, or other evidence submitted.
- d. The Post Office employee calculates the amount to be refunded on Part 3, Postage or Meter Stamps, of PS Form 3533 (for postage meter stamps, follow instructions outlined in Part 3, of PS Form 3533).
- e. A Post Office supervisor and a witness must certify the destruction and sign on PS Form 3533, Part 3.
- f. If no witness is available (CAG H—L offices only), the postmaster follows steps 2, 3, and 4 and signs PS Form 3533, Part 3.
- g. The postmaster or a supervisor authorizes the amount to be refunded, ensures that the approved amount is entered in PS Form 3533, Part 2, Verification of Refund, and signs.
- h. If the refund amount exceeds the authorized limit for local payments, the Post Office employee check marks PS Form 3533, Part 6, Refund not Processed at Local Post Office, and forwards it to the designated location (see Disbursements).
- i. For local payments, if paid in cash (limited to \$10), the payee signs PS Form 3533, Part 5, Receipt for Refund; if paid with a no-fee money order, enter the serial number and the date issued.
- j. The Post Office checks off the type of refund in PS Form 3533, Part 1, Refund Requested For, and ensures the amount of refund is reported into the appropriate AIC account number in the unit's PS Form 1412.
- k. Spoiled and unused postage meter stamp refunds for \$500 and under must be processed within 30 days. Spoiled and unused postage meter stamp refunds for more than \$500 must be processed within 60 days.

#### 145.12 Disbursements

#### 145.121 Standard Field Accounting Procedures (SFAP) and Statement of Account (SOA) Offices

Refunds up to \$1,000 may be issued locally. If the refund amount is more than \$1,000, the Post Office enters the amount into the corresponding disbursement AIC account number and enters the offset amount into AIC 075, Advance Deposit Refunds Awaiting Payment. The Post Office submits the original PS Form 3533 to the district finance office for payment.

**145.122 Standard Accounting for Retail (SAFR) Offices**

Refunds up to \$500 may be issued locally. If the refund amount is more than \$500, the Post Office enters the amount into the corresponding disbursement AIC account number and enters the offset amount to AIC 280, Disbursements Sent to SS/A. The Post Office submits the original PS Form 3533 to Shared Services/Accounting (SS/A) for payment to the following address:

USPS SCANNING AND IMAGING CENTER  
PO BOX 9000  
SIOUX FALLS SD 57117-9000

**145.2 Processing Refunds for Metered Postage****145.21 Meters Checked Out of Service**

The procedure for issuing refunds for meters checked out of service is as follows:

- a. *Verification at All Offices.* The accepting employee does the following:
  - (1) Verifies the amount by examining meter registers.
  - (2) Fills out Part 5, PS Form 3533, if a refund is due.
  - (3) If the manufacturer's meter checkout form has all the required documentation, uses it instead of PS Form 3533.
  - (4) Refunds the full value of the unused postage under [145.21b\(1\)](#) or [145.21b\(2\)](#).
- b. *Refund.*
  - (1) At offices with 950 or more revenue units, the employee handles the refund of metered postage under [145.11](#).
  - (2) At other offices, the employee handles a refund of metered postage following [145.11](#).

**145.22 Evidence of Unused Meter Stamps at Office of Meter Setting**

Instead of submitting bulky evidence of unused meter stamps, postmasters at the office of meter setting may certify the amount and destruction of these stamps in Part 4 of PS Form 3533 and forward the application to the Post Office where the meter is licensed.

**145.23 Computing Fraction of Cent**

In computing the amount to be refunded for unused meter stamps, resolve a fraction of a cent in favor of the Postal Service. For example, if 90 percent of the postage value of impression is \$4.187, the amount refunded is \$4.18.

**145.3 Refund Application for Retail Services**

Application for refund of fees collected for retail services must be initiated by the customer on PS Form 3533. Applications are processed as follows:

- a. The application and any supporting papers are reviewed by an authorized Postal Service employee. If the mailer is due a refund for services not rendered (as stated in DMM 608), the Postal Service employee completes and witnesses the approval part of PS Form 3533. PS Form 3533 is then returned to the mailer for submission to the retail services section for payment.

- b. The refund is issued under the provisions of Handbook F-1, 730.
- c. If the application is not approved, it is returned to the applicant with the supporting papers and an explanatory statement.
- d. When the amount due the Postal Service because of faulty postage meter mechanical operation is less than \$1, it is not collected. When the amount due the customer is less than \$1, it is refunded only on request.

## 146 Indemnity Claims

### 146.1 General Instructions for Filing Claims

#### 146.11 How to File

##### 146.111 Customer Action

The following actions apply to customers who file indemnity claims for Insured Mail, Registered Mail™, COD, or Priority Mail Express® articles. (See [Exhibit 146.11](#) and the IMM for international Insured Mail and Registered Mail claims.)

- a. *Claims for Loss.* Only the mailer may file an indemnity claim for the complete loss of an unnumbered Insured Mail article. Either the mailer or addressee, who is in possession of the original mailing receipt, may file an indemnity claim for the complete loss of a numbered Insured Mail, Registered Mail, COD, or Priority Mail Express article by presenting evidence of insurance and evidence of value. (Proof of loss is not required for numbered Insured Mail, Registered Mail, COD, or Priority Mail Express claims.)

**Note:** If the article was mailed with Priority Mail Express COD or Registered Mail COD service, the claimant must provide the original COD receipt with either the Priority Mail Express or the Registered Mail receipt.

- b. *Claims for Damage.* Either the mailer or addressee may file a claim for damage or for missing contents by presenting evidence of insurance and evidence of value. The addressee must present the article and mailing container, including any wrapping, packaging, and any other contents that were received, to the Postal Service™ for inspection. If the mailer filed the claim, the St. Louis ASC will notify the addressee by letter to present the article and mailing container, including any wrapping, packaging, and any other content that were received to the Postal Service for inspection.
- c. *Time Limits.* Claims for complete loss must be filed within the time frames prescribed in DMM 609.1.4 and POM [Exhibit 146.11](#). Claims for damage or missing contents should be filed immediately, but no later than 60 days from the date of mailing.
- d. *PS Form 1000.* The customer must complete the applicable spaces on PS Form 1000 April 04, *Domestic Claim or Registered Mail Inquiry*, for all domestic indemnity claims.

Exhibit 146.11

**General Instructions for Filing Claims****ELIGIBLE TYPES OF MAIL SERVICES**

Insured Mail (unnumbered/numbered), Registered Mail, COD, Priority Mail Express, Priority Mail Express COD, and Registered Mail COD service.

**WHO MAY FILE**

For complete loss: Only mailer for unnumbered Insured Mail/mailer or addressee, whoever is in possession of the mailing receipt for numbered Insured Mail, Registered Mail, COD, or Priority Mail Express service.

For damage or loss of contents: Mailer or addressee.

**WHEN TO FILE**

A customer should file a claim immediately, but no later than 60 days from the date of mailing, when the contents of an article are damaged or missing from the mailing container.

For a lost article, a customer must file a claim within the time limits in the chart below.

**Filing Time Periods for PS Form 1000**

Mail Type or Service	When to File (From Mailing Date)	
	No Sooner Than	No Later Than
Insured Mail	21 days	180 days
COD	45 days	180 days
Registered Mail	15 days	180 days
Registered COD	45 days	180 days
Priority Mail Express	7 days	90 days
Priority Mail Express COD	45 days	90 days
APO/FPO Insured Mail (First-Class Mail, SAM, PAL, or COD)	45 days	180 days
APO/FPO Insured (Surface Only)	75 days	180 days

**DOCUMENTATION REQUIRED FROM CUSTOMER****A.Evidence of Insurance (at least one):**

For a claim involving Insured Mail, Registered Mail, COD, or Priority Mail Express service, the customer must present any one of the following evidence showing that the particular service was purchased:

1. The original mailing receipt issued at the time of mailing (Insured Mail, Registered Mail, and COD receipts must contain a Postal Service postmark). Reproduced copies are not acceptable.
2. The wrapper showing the names and addresses of the mailer and the addressee and the proper mail endorsement, tag, or label showing that the article was sent Insured Mail, Registered Mail, COD, or Priority Mail Express service. If only the wrapper is submitted, indemnity can be limited to \$100 for Insured Mail, \$50 for COD, \$100 for Registered Mail, and \$100 for Priority Mail Express items.
3. For Priority Mail Express items accepted for mailing under an Priority Mail Express Manifesting agreement in P910, a copy of the manifest page showing the Priority Mail Express label number for the item in question; the manifest summary page for the date the piece was mailed; a copy of PS Form 3152-E, *Priority Mail Express Manifesting Certification*, round-dated by the accepting Post Office; and a copy of the EMCA monthly statement that lists the label number and postage for the mailpiece. If the customer purchased additional insurance, a copy of the round-stamped PS Form 3877, *Firm Mailing Book for Accountable Mail*, must also be submitted.
4. The original sales receipt from the Postal Service listing the mailing receipt number and insurance amount, only if the original mailing receipt is not available. Reproduced copies of the Postal Service sales receipt are not acceptable.

Exhibit 146.11 (p. 2)

**General Instructions for Filing Claims****B.Evidence of Value (at least one):**

1. Sales receipt, invoice or bill of sale, or statement of value from a reputable dealer.
2. For items valued up to \$100, the customer's own statement describing the lost or damaged article and including the date and place of purchase, the amount paid, and whether new or used (only if a sales receipt or invoice is not available). If the article mailed is a hobby, craft, or similar handmade item, the statement must include the cost of the materials used in making the item. The statement must describe the article in sufficient detail to determine whether the value claimed is accurate.
3. Picture from a catalog showing the value of a similar article (only if a sales receipt, invoice, or statement of value from a reputable dealer is not available). The date and place of purchase must be included.
4. Paid repair bills; if the claim is for partial damage, estimates of repair costs or appraisals from a reputable dealer. Repair costs may not exceed the original purchase price.
5. Receipt or invoice for the costs incurred to buy a surety bond required to reissue a lost item.
6. Receipt or invoice of costs incurred for the reconstruction of nonnegotiable documents.
7. copy of a canceled check, money order receipt, credit card statement, or other documentation including the amount paid. For Internet purchases, a copy of the front and back of the canceled check, money order, or a copy of the credit card billing statement is required.
8. or Internet transactions conducted through a Web-based payment network that offers payment services through a stored value account, a computer printout of an online transaction identifying the purchaser and seller, price paid, date of transaction, description of item purchased, and assurance that the transaction status is completed. The printout must clearly identify the Web-based payment network provider through which the Internet transaction was conducted.

**C.Proof of Loss (required for unnumbered Insured Mail only):**

The mailer must provide proof of loss for unnumbered Insured Mail items only. Proof of loss is not required for numbered Insured Mail, Registered Mail, COD, or Priority Mail Express claims. The mailer must present written and signed documentation from the addressee (such as a letter), dated at least 21 days after the date of mailing, stating that the addressee did not receive the article.

**Note:** The documentation or a copy of it must be attached to the claim. On the back of the mailing receipt, write "claim filed," round date stamp, photocopy for the file, and return to customer, except unnumbered Insured Mail and Priority Mail Express receipts. Instruct the customer to keep the original receipts until the claim is settled.

**146.112 Accepting Post Office**

When accepting a customer's claim, handle it as follows:

- a. If necessary, assist the customer in completing the applicable spaces on PS Form 1000.
- b. Date-stamp immediately on receipt and sign in the appropriate spaces.
- c. Ensure that the customer presents evidence of insurance.
- d. For damage claims, indicate the location of the damaged article on PS Form 1000; complete PS Form 2856, *Damage Report of Insured Parcel and Contents*; and handle under [146.2](#). Provide any other information that may help in the adjudication of the claim.
- e. Detach copy 2 of PS Form 1000 and give it to the customer to retain until the claim is settled. Forward copy 1 of the claim form and supporting documentation to the St. Louis Accounting Service Center for processing. (For unnumbered Insured Mail, do not mail copy 1 of PS Form 1000 to the St. Louis Accounting Service Center until **after** processing locally as described in [146.122](#).)
- f. Endorse the original insurance receipt and/or wrapper "Claim Filed [date]", date-stamp, and initial it. Return the receipt or wrapper to the

customer (except unnumbered Insured Mail and Priority Mail Express Receipts). Instruct the customer to keep the receipts until the claim is settled.

**146.113 Claims and Inquiry Employee**

Detach copy 3 of PS Form 1000 and file it alphabetically by mailer's name. Process the claim as explained in [146.12](#).

**146.12 Processing Claims at the Post Office**

**146.121 Loss of Numbered Insured Mail, Registered Mail With Postal Service Insurance, COD, or Priority Mail Express Items**

Process the claims as follows:

- a. When PS Form 1000 is presented at a Post Office for the purpose of filing a claim, check for completeness, mailer and addressee address, customer signature, complete article receipt number, and supporting documentation.
- b. Mail PS Form 1000 and supporting documentation, evidence of insurance and evidence of value (as defined in DMM 609.3.1) to the St. Louis Accounting Service Center at the following address:

CLAIMS SERVICING SECTION  
ACCOUNTING SERVICE CENTER  
PO BOX 80143  
ST LOUIS MO 63180-0143

Claims forms submitted with an APO/FPO mailing address must include the unit or ship designation.

**146.122 Loss of Unnumbered Insured Articles**

When PS Form 1000 is presented at a Post Office for the purpose of filing a claim, check for completeness, customer signature, and supporting documentation. Complete section B of the claim form and indicate claim was paid or denied. After processing locally, mail the original copy 1 of the form to the St. Louis Accounting Service Center at the following address:

CLAIMS SERVICING SECTION  
ACCOUNTING SERVICE CENTER  
PO BOX 80143  
ST LOUIS MO 63180-0143

**146.123 Damage Claim Filed by Mailer**

If the mailer files a damage claim for an article still in the possession of the addressee, the St. Louis ASC will notify the addressee by letter to present the damaged article and mailing container, including any wrapping, packaging, and any other contents that were received, to the Postal Service for inspection. Failure to do so will result in denial of the claim.

**Note:** When the mailer receives notification from the addressee of receipt of a damaged article, the mailer must advise the addressee to await notification from the Postal Service to present the damaged article and mailing container, including any wrapping, packaging, and any other contents they received to the Postal Service for inspection if the mailer elects to file the claim.

**146.124 Damage Claim Filed by Addressee**

If the addressee files a damage claim, section A of PS Form 1000 must be completed to show that the damaged article and mailing container, including any wrapping, packaging, and any other contents they received, were presented for inspection when the claim was filed. Complete PS Form 2856, *Damage Report of Insured Parcel and Contents*, and handle under [146.2](#). Provide any other information that may help in the adjudication of the claim. The St. Louis ASC will make payment to the person designated in section A 3a of PS Form 1000 provided the original proof of insurance is submitted with claim. If a dual claim is filed, the claim with the original mailing receipt will be honored.

Exhibit 146.124

**Processing Claims for Damage or Partial Loss of Contents****All Claims for Damaged/Missing Contents**

- Complete PS Form 1000, part B, to show that the damaged article and mailing container, including wrapping, packaging, and any other contents that were received, were presented for inspection when the claim was filed.
- If necessary, return the article to the customer so that an appraisal or estimate can be obtained.
- Use PS Form 3831, *Receipt for Article(s) Damaged in Mails*, to provide a receipt for damaged articles. Note the condition on the form.
- Payment is made to the customer presenting the mailing receipt or to the addressee when designated by the sender as payee.
 

*Exemption:* (For numbered Insured Mail articles only) If the addressee paid for repair to a partially damaged article and the endorsement on the wrapper shows that enough insurance was bought to cover the cost of repairs, payment will be made to the addressee unless a claim payment has already been made on the numbered Insured Mail article.
- If the article has no salvage value (below \$10.00), allow the customer to keep it if the customer wants it; otherwise, destroy it.
- If the completely damaged Insured Mail, COD, or Priority Mail Express article has salvage value, retain it until the claim and all appeals are settled, and then forward it to the appropriate mail recovery center.
- For Registered Mail claims, retain the article and the packaging until released by notification from the St. Louis ASC.
- Detach copy 2 of PS Form 1000 and give it to the customer to retain until the claim is settled.
- Complete PS Form 2856, *Damage Report of Insured Parcel and Contents*. Provide any other information that may help in the adjudication of the claim.
- Forward copy 1 of the claim form PS Form 1000; a copy of PS Form 2856, *Damage Report of Insured Parcel and Contents*; and supporting documentation to the St. Louis Accounting Service Center for processing. (For unnumbered Insured Mail, do not mail copy 1 of PS Form 1000 to the St. Louis Accounting Service Center until after processing locally as described in [146.112](#).)
- Retain copies of all forms and documentation locally.

**146.125 Estimates and Appraisals**

If necessary, return the article to the customer so that the customer may obtain an appraisal or estimate. Use PS Form 3831, *Receipt for Article(s) Damaged in Mails*, to give and take receipts for damaged articles. Note the condition of the article on the form.

## 146.13 **Inquiries and Duplicate Claims**

### 146.131 **Time Limits**

Customers file duplicate claims within the time limits shown in DMM 609.1.7. If a customer asks about the status of a claim and the required time has elapsed, process a duplicate claim under [146.132](#).

### 146.132 **Customer Filing**

Customers may file claims as follows:

- a. *In Person.* To file a duplicate claim, the customer must either (1) submit a photocopy of the customer's completed part of the claim form or (2) request the Post Office where the claim was filed to process a photocopy of the Post Office's receipt copy of the claim form.
- b. *By Telephone.* Obtain information about the mailing from the customer and check the file for a record of the original claim. If a copy of the claim is found, photocopy it, mark "Duplicate" on the top left corner immediately above the title (do not write in the barcode area), and process the form as in [146.12](#).

### 146.133 **Claim Form Copy Not on File**

If a copy of PS Form 1000 is not on file, advise the customer that no record exists. If the customer kept a copy of the claim form, ask the customer to bring or send a copy to the Post Office. If neither the customer nor the Post Office has a copy of the claim form, the customer must file an original claim on PS Form 1000. Ask the customer to present the original mailing receipt to the Post Office. When the customer presents the mailing receipt and the receipt is annotated to show that a claim was filed, follow original claim procedures and attach a note to the claim indicating that a previous claim was filed.

### 146.134 **Completing Duplicate Claims**

Complete these duplicate claims as follows:

- a. Do not use a new PS Form 1000 when filing a duplicate claim.
- b. Use either a photocopy of the customer's original copy or the Post Office's original copy and mark "Duplicate" on the top left corner of the form immediately above the title.
- c. Process the form as described in [146.11](#).

## 146.2 **Disposition**

### 146.21 **Damaged Article**

For a completely damaged article with little or no salvage value (under \$10.00), allow the customer to keep the article if the customer wants it; items that may be of a hazardous nature to employees must be destroyed. If the completely damaged Insured Mail, COD, or Priority Mail Express article has salvage value, retain it until the claim and all appeals are settled, then forward it to the appropriate mail recovery center. For Registered Mail damage claims, retain the article and packaging at the Post Office until released by notification from the St. Louis ASC. Provide the customer with PS Form 3831, *Receipt for Article(s) Damaged in Mails*.



St. Louis ASC will notify the customer in writing that the claimant has 30 days from the date of denial action to recover the article and that he/she has no recourse if, subsequently, the item is disposed of after the 30 days. Articles on which claims are paid, on which the customer has not filed an appeal, or on which the customer fails to recover, should be forwarded to the appropriate mail recovery center on the next weekly dispatch. The status of a claim can be obtained by calling the St. Louis ASC Help Desk at 866-974-2733. Articles being sent to the mail recovery center should not be stripped of the insured labels and must include a copy of the paid claim letter or notice that the item is ready for auction. Always document disposition of damaged articles. Make sure the disposition of the damaged article is clearly annotated on PS Form 1000.

#### 146.22 **Disposition of Recovered Articles**

When a lost Registered Mail, Insured Mail, COD, or Priority Mail Express article is recovered undamaged after payment of a claim, the payee may reimburse the Postal Service for the full amount paid in exchange for the article. If the article is damaged, has depreciated in value, or is missing contents, the payee may accept it and reimburse the Postal Service an amount set by the St. Louis ASC.

#### 146.3 **Quarterly Review**

#### 146.31 **Responsibility**

The consumer affairs and claims manager (district) coordinates the review of claims and inquiry functions at the main Post Offices, stations, and branches. The review must be conducted quarterly or when the St. Louis ASC reports or other evidence indicates that delinquent or delayed forms exist at any location accepting claims. Conduct the reviews as follows:

- a. Count the claims forms; duplicate claims, PS Form 1510, *Mail Loss/Rifling Report*; and PS Form 3811-A, *Request for Delivery Information/Return Receipt After Mailing*. Note the dates when the forms were received in the unit. Delivery information must be provided within 5 days of receipt of the request. Requests not processed within 5 days are delinquent. Determine the percentage of delinquent requests.
- b. Check the COD file, comparing dates of money orders with dates of delivery, and note any delays.
- c. Check the files of PS Forms 3849 for proper completion. Compare date of receipt and date of return of each COD article to determine whether held beyond the maximum 30-day retention period. Note any irregularities.
- d. Determine the accessibility of delivery records to all employees who conduct searches.
- e. Select a representative sample of delivery units each quarter. Check on-hand COD articles, noting the dates when received in the unit. Articles held more than 30 days must be recorded as irregularities.
- f. Discuss the findings with the postmaster, station/branch manager, or other supervisor who manages the claims and inquiry function. Jointly develop a plan of action to correct any irregularities.

- g. Provide a summary report for each site to the district manager, Customer Service and Sales, as well as the employee in charge of the unit reviewed. The report must list all noted irregularities and delinquent forms. Determine the cause of noted irregularities and delinquent forms and include a summary of the jointly developed plan of corrective action to be taken within a specified time. The manager, Customer Service and Sales, is responsible for ensuring that the plan is immediately implemented. When an accumulation of delinquent forms exists, it must be corrected immediately.
- h. Conduct a follow-up review after 15 days to determine the effectiveness of the action taken. If no irregularities are detected, schedule the next review semiannually.

146.32 **Survey Form**

Photocopy [Exhibit 146.3](#) and use it to help complete the quarterly review. After the review is done and the survey form completed, file it at the consumer affairs and claims office.

Exhibit 146.3

**Quarterly Review****At the Claims & Inquiry Unit (Count any requests over 5 days old as irregularities.)**

Delivery information must be provided within 5 days after the request is received. Requests not processed within 5 days are delinquent. Determine the number of forms in the claims & inquiry unit that are more than 5 days old and not processed.

Total Number of Claim Forms \_\_\_\_\_

Number of Claim Forms over 5 days old \_\_\_\_\_

Total Number of Duplicate Claims \_\_\_\_\_

Number of Duplicate Claims over 5 days old \_\_\_\_\_

Total Number of PS Forms 1510 \_\_\_\_\_

Number of PS Forms 1510 over 5 days old \_\_\_\_\_

Total Number of PS Forms 3811-A \_\_\_\_\_

Number of PS Forms 3811-A over 5 days old \_\_\_\_\_

**Delivery Records (Count any "No" responses as irregularities.)**

Are delivery records accessible to all employees who conduct searches? \_\_\_\_\_

Check the files of delivery records. Are PS Forms 3849 properly completed? \_\_\_\_\_

On PS Forms 3849, compare the date of receipt with the date of return to determine whether COD articles are held beyond the maximum 30-day retention period. Are COD articles returned promptly? \_\_\_\_\_

Check the COD file, comparing dates of money orders with dates of delivery. Are money orders sent to the COD mailer by the next business day after the date of delivery? \_\_\_\_\_

**At the Delivery Unit (Count all articles held past the retention period as irregularities.)**

Select a representative sample of delivery units each quarter. Check on-hand accountable mail articles, noting the dates when received in the unit.

Number of COD articles held past the 30-day retention period \_\_\_\_\_

Number of Insured Mail articles held past the 15-day retention period \_\_\_\_\_

Number of Registered Mail articles held past the 15-day retention period \_\_\_\_\_

Number of Certified Mail articles held past the 15-day retention period \_\_\_\_\_

## 15 Easy Stamp Services

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### 151 Stamps by Mail

#### 151.1 Description

##### 151.11 Stamps by Mail PS Forms 3227-A and 3227-B

The Stamps by Mail (SBM) service allows Postal Service customers on all carrier routes and Post Office boxes to purchase Postal Service products, such as booklets, sheets, and coils of stamps, postal cards, and stamped envelopes by ordering through the mail. The Postal Service order forms are incorporated in self-addressed, postage-paid envelopes. Customers may obtain order envelopes (PS Forms 3227-A and 3227-B, *Stamps Delivered to Your Door*) from city, rural, or contract delivery service carriers, in Post Office lobbies, or by telephoning the local delivery unit to request its delivery.

PS Form 3227-A is for noncredit card Stamps SBM fulfillment sites and PS Form 3227-B is for credit card only SBM fulfillment sites. After completing the PS Form 3227-A order form and enclosing a check or money order, or after completing a PS Form 3227-B for credit card-only sites, the customer drops the sealed envelope in a collection box or in his or her mailbox. Mail orders are filled and delivered to the customer within 2 business days after the customer mails the order. Postmasters must requisition PS Forms 3227-A and 3227-B from the printer and maintain a supply for use in filling customers' telephone requests for the form, for customer use in the Post Office lobby, and for all letter carriers and Post Office box clerks to use as required.

Postmasters must requisition PS Forms 3227-A or 3227-B from the printer. To order forms, submit PS Form 3227-O, *Stamps At Your Door Supply Order*, to the printer. PS Form 3227-O is available at <http://blue.usps.gov>; click *Forms*, then select the form by number.

##### 151.12 Rural Delivery Areas — PS Form 3227-R

Stamp purchase orders allow Postal Service customers, on rural and contract delivery service routes only, to purchase all Postal Service products (such as booklets, sheets, and coils of stamps, postal cards, and money orders) directly from the rural or contract delivery service carrier or by using PS Form 3227-R, *Stamp Purchase Order*. Customers obtain PS Form 3227-R from the rural or contract delivery service carrier or by telephoning the local delivery unit to request the form's delivery. After completing PS Form 3227-R and enclosing cash, check, or money order, the customer places the sealed envelope in his or her mailbox with the flag up. Stamp orders are generally filled and returned to the customer either at the time of mail delivery by the rural carrier or within 1 business day. Postmasters must maintain a supply of PS Form 3227-R for use in filling customers' telephone requests for the form or for rural delivery carriers to use as required.

Postmasters must requisition PS Form 3227-R from the Material Distribution Center (MDC). The MDC applies limits to order quantities depending on the CAG level of the requisitioning office. Since actual need may not be determined by such limits, districts must order "buffer" supplies of forms in order to serve those units receiving too few.

**151.13 Written and Telephone Requests**

Handle written and telephone requests as follows:

- a. Unit managers and clerical employees answering customers' telephone inquiries must be aware that customers may order SBM without using PS Form 3227-A or 3227-B for credit card-only sites by writing to the local postmaster. The customer should indicate the kind and quantity of stamps desired and must enclose a check or money order payable to "Postmaster" for the amount of the stamps. For credit card-only sites, the customer must include the required credit card information.
- b. Postage affixed to such an order is not refundable.
- c. After filling orders, employees should always enclose a preaddressed PS Form 3227-A or 3227-B for placing the next order.

**151.2 Responsibilities****151.21 Managers, Customer Service Support**

District managers, Customer Service Support, have primary responsibility for ensuring compliance with these guidelines.

**151.22 Postmasters of City Delivery Offices**

Postmasters are responsible for ensuring supervision of SBM operations to achieve service standards and to deal effectively with variances.

Postmasters are also responsible for ensuring that rural carriers maintain a supply of stamp stock and PS Form 3227-R order forms sufficient to meet the needs of the customers on the route.

**151.23 Postmasters of Rural Delivery Offices**

Postmasters with rural delivery are responsible for ensuring that rural carriers maintain a supply of stamp stock sufficient to meet the needs of the customers on the route. Postmasters must ensure that service standards are achieved, and deal effectively with variances.

**151.24 Order Filling Clerks**

The order filling clerks receive all orders and may fill them intermittently throughout the business day. For this reason, early availability is necessary to forecast volume and to plan a day's work. Orders received by 2:00 p.m. should be filled before the end of the workday. All orders must be filled within 8 hours (and turned around within 24 hours) of the clerk's receipt.

As each order is opened, the clerk must do the following:

- a. Check for the customer's name and address on both the order form and, especially, on the return address label.
- b. Ensure that the order form is properly filled in and includes the quantities and costs of the ordered items. Check the customer's addition to ensure that the total is correct.
- c. Verify that the customer's check is signed and made payable to "Postmaster" or "United States Postal Service" in the amount shown on the order. Accept the customer's check in accordance with procedures outlined in Handbook F-1, *Post Office Accounting Procedures*. Annotate the back of the check with the initials "SBM."

- d. If an error is found, take the following steps before returning the order or order form to the customer:
  - (1) If the value of the order exceeds the amount of the check, fill as much of the order as permitted, deducting postage equal to the value of the shortage.
  - (2) If the check lacks a signature or an amount, or if no check or order was enclosed, return the materials to the customer. Enclose a short descriptive note to the customer, explaining the error. Always include a new order form.
  - (3) If the check's value exceeds the value of stock ordered, fill the order and have a no-fee money order prepared for the balance. Enclose the money order with the filled stamp order.
- e. When filling an order, use a G-10 Permit envelope of the appropriate size to contain it. Enclose another preaddressed PS Form 3227 with the stock. Detach the return address label from the order form and apply it to the G-10 Permit envelope. Seal the envelope.
- f. Place filled order forms aside for filing at the end of the day's order filling. Each form must be round dated, initialed by the person who filled it, and filed according to the customer's last name. These records must be retained in the unit until the next examination of the clerk's accountability or 30 days, whichever is greater.
- g. Take the orders to the registry unit.
- h. Record the number of orders in each dispatch to a delivery unit on an all-purpose ruled form.

#### 151.25 **Registry Unit**

The registry clerk must do the following:

- a. Validate the count of orders by delivery unit and return a copy of the ruled form to the clerk, keeping a copy for registry records.
- b. Place all orders for one delivery unit in a large envelope addressed to the unit manager, marked, "Open and Distribute." Record the number of enclosed orders on the envelope's face.
- c. Backstamp each large envelope as though it were a regular registered piece, without a registered article number and without listing it on a registry control sheet.
- d. Dispatch the large envelopes by pouch to the appropriate delivery units.

#### 151.26 **Receiving Delivery Unit**

At a receiving delivery unit, the manager must do the following:

- a. Remove and open the unit envelope, checking the number of orders against the count appearing on the envelope.
- b. Notify the registry section immediately of any discrepancies.
- c. Distribute the individual orders to the appropriate carriers. Carriers deliver the orders as regular mail, or Certified Mail, as marked. Managers must leave all orders, except Certified Mail articles, in the delivery receptacle, unless an obvious security risk exists.

**151.3 Filling Orders****151.31 General**

The intent is to maximize quality and productivity within the required 24-hour target for order filling. District managers are expected to implement an appropriate mix of SBM operations among city delivery units. With higher volumes, SBM orders may be preaddressed to (and filled at) central locations, such as the main office. Placing the barcode on the envelope and assigning a unique ZIP Code to SBM allows automated sites to save work hours, speed the mail's availability, and sort directly to the order fulfillment operation. Normally, orders are delivered by regular mail. Certify those valued at \$200 or more. Second attempts must be made the next day if the initial delivery attempt is unsuccessful.

**151.32 Clerical Downtime**

If transaction volumes permit, one method of filling SBM orders is to use clerical downtime. Between customers, retail service counter clerks can fill orders at the customers' own delivery units.

**151.33 Centralized Fulfillment Locations**

In centralized fulfillment locations, assign at least one clerk and a designated backup clerk to handle sustained order processing. Avoid service failures by training a third clerk to assist in handling the heavy volumes expected before Christmas and following planned promotions or publicity.

In centralized operations, separate filled orders by delivery unit or route, as appropriate. Certify any envelope containing stock worth \$200 or more.

**151.34 Order Filling Clerks**

The order filling clerks receive all SBM orders and may fill them intermittently throughout the business day. For this reason, early availability is necessary to forecast volume and to plan a day's work. All orders must be filled within 24 hours of the clerk's receipt.

As each order is opened, the clerk must do the following:

- a. Check for the customer's name and address on both the order form and, especially, on the return address label.
- b. Ensure that the order form is properly filled in and includes the quantities and costs of the ordered items. Check the customer's addition to ensure that the total is correct.
- c. Verify that the customer's check is signed and made payable to "Postmaster" or "United States Postal Service" in the amount shown on the order. Accept the customer's check in accordance with procedures outlined in Handbook F-1, *Post Office Accounting Procedures*. Annotate the back of the check with the initials "SBM."
- d. If an error is found, take the following steps before returning the order or order form to the customer:
  - (1) If the value of the order exceeds the amount of the check, fill as much of the order as permitted, deducting postage equal to the value of the shortage.

- (2) If the check lacks a signature or an amount, or if no check or order was enclosed, return the materials to the customer. Enclose a brief descriptive note to the customer, explaining the error. Always include a new order form.
- (3) If the check's value exceeds the value of stock ordered, fill the order to the amount of the check or money order.
- e. When filling an order, it is preferred that fulfillment sites use standard Tyvek envelopes available from the Material Distribution Center. For more information, see *Postal Bulletin* 22165 (10-13-05, page 63). Tyvek envelopes should be mailed using a G-10 label. Detach the return address label from the order form and then apply it to the envelope with the G-10 label. Enclose another preaddressed PS Forms 3227-A or 3227-B as appropriate with the stock. Seal the envelope.
- f. Reporting SBM Revenue:  
Report SBM revenue on PS Form 1412-A, *Daily Financial Form*, in AIC 094, *Stamps by Mail Sales*. If orders cannot be filled on the same day as opened, deposit the funds and enter the amount to *Trust Funds Received*. Make a withdrawal from *Trust Funds* and entry to AIC 094 on the next business day when the orders are filled. PS Forms 3227 are not submitted as support for PS Forms 1412-A. Keep the files of these forms available for supervisors' review.
- g. Place filled order forms aside for filing at the end of the day's order filling. Each form must be round dated, initialed by the person who filled it, and filed according to the customer's last name. These records must be retained in the unit until the next examination of the clerk's accountability or 30 days, whichever is greater.
- h. Take the orders to the registry unit.
- i. Record the number of orders in each dispatch to a delivery unit on an all-purpose ruled form.

#### 151.35 Registry Unit

The registry clerk must do the following:

- a. Validate the count of orders by delivery unit, return a copy of the ruled form to the clerk, and keep a copy for registry records.
- b. Place all orders for one delivery unit in a large envelope addressed to the unit manager and marked "Open and Distribute." Record the number of enclosed orders on the envelope's face.
- c. Backstamp each large envelope as though it were a regular registered piece, without a registered article number and without listing it on a registry control sheet.
- d. Dispatch the large envelopes by pouch to the appropriate delivery units.



**151.36 Receiving Delivery Unit**

At a receiving delivery unit, the manager must do the following:

- a. Remove and open the unit envelope, checking the number of orders against the count appearing on the envelope.
- b. Notify the registry section immediately of any discrepancies.
- c. Distribute the individual orders to the appropriate carriers. Carriers deliver the orders as regular mail, or Certified Mail, as marked. Managers must leave all orders, except Certified Mail articles, in the delivery receptacle, unless an obvious security risk exists.

**151.37 Undeliverable as Addressed Orders**

If an order has been misaddressed or is undeliverable as addressed, return it through the registry unit to the SBM section supervisor or SBM clerk. The supervisor or SBM clerk determines from the PS Form 3227 which clerk filled it and if the correct address is on the envelope. The supervisor or SBM clerk notifies the customer to verify the address and explain the delay of the order. If the order is undeliverable and the customer cannot be contacted, the supervisor or SBM clerk returns the order to the stamp credit within a week.

**Note:** Customer addresses with incorrect or missing ZIP Codes are deliverable.

**151.38 Lost Orders**

SBM orders are rarely lost in the mail. If a customer reports a lost or missing order to the postal unit from which his or her mail is delivered, replace it immediately as follows:

- a. Mail all replacement orders by Certified Mail service, regardless of value (requires customer signature at time of delivery).
- b. Record the amount of the replacement order in the appropriate AIC as follows:
  - AIC 011, Forever Stamp Sales — by Internet, Mail, and Phone.
  - AIC 094, Stamps by Mail, Internet, and Phone.
- c. Offset the amount to AIC 647, Financial Differences Shortage, and use Reason Code 06, Stamps by Mail.
- d. Attach the original order (PS Form 3227-O) and the Certified Mail Receipt to PS Form 3533 and file locally.

**Note:** The postmaster, manager, or supervisor must monitor these claims for recurrences.

**152 Stamps by Phone**

By calling 800-STAMP-24 (800-782-6724), customers may order stamps and make purchases with Visa, MasterCard, or Discover credit cards. This toll-free number is available 24 hours a day, 7 days a week. There is a service charge, and stamps are delivered by mail within 3 to 5 business days.

## 16 Consumer Services

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### 161 Overview

A key to effective retail management and delivery services in the Postal Service is a responsive, working relationship with the public. The public expects timely and consistent service at affordable rates.

Customer Experience Insights data indicates that a prompt response to and resolution of customer complaints will increase customer satisfaction with the complaint handling process.

Postal Service employees are to provide a timely, customer-friendly, and professional resolution to customer complaints. A prompt response and resolution of customer complaints will increase customer satisfaction and loyalty.

### 162 Scope

The following, or their designees, are responsible for implementing these requirements and for informing assigned personnel about local procedures for responding to or forwarding complaints received from customers:

- a. Headquarters office of Consumer Advocate.
- b. Vice presidents, Area Operations.
- c. Customer Service and Sales district managers.
- d. Plant managers.
- e. Consumer and Industry Contact (C&IC) managers.
- f. Postmasters and station or branch managers.
- g. Postal Service employees delegated responsibility for handling complaints.

### 163 Source of Complaints

The Postal Service receives complaints from business and residential customers through the following sources:

- a. Walk-in (person-to-person).
- b. Telephone contact.
- c. U.S. Postal Service Web site, <http://www.usps.com>.
- d. Calls to the U.S. Postal Service toll-free number 800-ASK-USPS (800-275-8777).
- e. Written correspondence.
- f. Congressional inquiries.
- g. Headquarters referrals.
- h. Postal Regulatory Commission (PRC).
- i. Postmaster General (PMG) inquiries.
- j. Office Inspector General (OIG) inquiries.

## 164 Responsibility

### 164.1 Headquarters Management

Headquarters Office of Consumer Advocate is responsible for establishing requirements and measuring compliance with complaint handling and resolution procedures in Management Instruction PO-160-2002-1, *Complaint Resolution and Proper Use of Notice 4314-C, We Want to Know*.

### 164.2 Field Management

The following managers must ensure compliance with complaint resolution procedures and resolve complaints within their areas of responsibility:

- a. Vice presidents, Area Operations.
- b. Customer Service and Sales district managers.
- c. Plant managers.
- d. Consumer and Industry Contact managers.
- e. Postmasters and station or branch managers.
- f. Postal Service employees delegated responsibility for handling complaints.

### 164.3 Consumer and Industry Contact Managers

As the initial point of escalation, Consumer and Industry Contact managers must do the following:

- a. Research and resolve service requests, including service request referrals from Headquarters.
- b. Help with escalated service requests from the local Post Office and Customer Care Center.
- c. Provide guidance or instruction to the local Post Office to help ensure that customer issues are handled timely and service requests are properly closed.
- d. Report the complaint, initial contact and on-time resolution trends to district leadership.
- e. Monitor and review closed service requests to ensure quality closure and timely handling of customer service requests.
- f. Oversee District compliance with the complaint handling process including the PRC, PMG, OIG, Congressional, and political mail campaign complaints processes.
- g. Work with the manager, Business Mail Entry, to research and resolve political mail campaign complaints.

### 164.4 Postmasters and Station or Branch Managers

Postmasters and station or branch managers must also do the following:

- a. Ensure that their offices comply with complaint resolution procedures.
- b. Ensure that all employees who come in contact with the public on a regular basis (e.g., sales and service associates, city and rural carriers, supervisors, installation managers) have at their workstations enough of Notice 4314-C, *We Want to Know*, for customers.

- c. Prominently display Notice 4314-C in lobbies and box sections, business mail entry units, and other customer service areas at all times.
- d. Maintain one or more Customer Complaint Control Logs (see [Exhibit 165.3](#)).
- e. Investigate and take corrective action to resolve complaints by contacting and working with other functional areas of the Postal Service, if necessary.
- f. Establish and maintain a complaint file.

**Note:** Other Postal Service employees, especially retail clerks, are to provide the customer with a Notice 4314-C or refer the customer to the appropriate functional area.

Postmasters and station or branch managers must follow the Consumer Advocate Complaint Guidelines outlined below:

- a. Assign responsibility for checking Customer 360 (C360) three times a day.
- b. Contact the customer within 24 hours and acknowledge the issue.
- c. Research the details of the service request.
- d. Contact the customer and inform them of the resolution to their service request.
- e. Ensure that someone is accountable for resolving the service request.
- f. Monitor and provide follow-up on closed service requests to ensure quality closure and timely handling of customer issues.

## 165 Procedures

### 165.1 Required Time for Action

Follow the procedures in the chart below to ensure that the necessary actions are performed within the indicated time frames:

	Required Time	Action
Initial Contact	Within one business day of receiving the complaint.	Acknowledge complaint via customer's preferred communication method (e.g., telephone call, email, letter or personal contact with the customer).
Final Resolution	Whenever possible, customer concerns should be resolved within three business days.	Send a final response to the customer via their preferred communication method (e.g., telephone, email, letter, or personal contact). The final response must be comprehensive and describe how the problem was corrected.

\*\*C360 Service Level Agreements are assigned by the system.

### 165.2 Exception to Final Response Requirement

The final response time in section [165.1](#) does not apply to complex customer complaints that will take longer than 3 business days. The service request progress and associated resolution activities must be documented in the Feed View of the service request. Notify the Consumer and Industry Contact manager via email as required.

**165.3 Maintaining Customer Complaint Control Log**

Maintain one or more Customer Complaint Control Logs (see [Exhibit 165.3](#)) at every office to ensure a timely response to customer complaints and to facilitate routine analysis of complaint activity. Include the following information in the Customer Complaint Control Log:

- a. Office name and ZIP Code.
- b. Customer name.
- c. Company name, if applicable.
- d. Customer address.
- e. Customer telephone number.
- f. C360 service request number or tracking number, if applicable.
- g. Subject of complaint.
- h. Type of initial contact (e.g., telephone, letter, email, personal).
- i. Type of final response/resolution (e.g., telephone, letter, email, personal).
- j. Date received.
- k. Suspense date.
- l. Assignment of responsibility for suspense and resolution of the complaint.
- m. Date closed.

**Note:** See [Exhibit 165.3](#).

## Customer Complaint Control Log

[illegible]

## 165.4 **Complaint Resolution**

### 165.41 **Complaints Resolved Immediately**

If a complaint received over the telephone or in person is resolved immediately, document the contact in the Customer Complaint Control Log.

### 165.42 **Further Investigation Required**

When local postal management cannot resolve a complaint immediately, they are required to provide the customer with a point of contact and a time when the customer will be contacted with the investigation results.

## 165.5 **Processing Complaints**

### 165.51 **Complaints Made in Person**

When a customer walks in to a local Post Office with a concern, the Postal Service employee should do the following:

- a. Listen and apologize on behalf of the United States Postal Service.
- b. Thank the customer for taking the time to report their concern.
- c. Record the customer's complaint(s) on [Exhibit 165.3](#), Customer Complaint Control Log, or in the appropriate system to ensure a timely response and the routine analysis of complaints. When recording the complaint, the following information must be included:
  - (1) Customer name.
  - (2) Company name, if applicable.
  - (3) Customer address.
  - (4) Customer telephone number.
  - (5) Source of complaint.
  - (6) C360 service request number or package tracking number, if applicable.
  - (7) Type of contact.
  - (8) Type of final response (e.g., personal, telephone, email, and letter).
  - (9) Date received.
  - (10) Suspense date.
  - (11) Assignment of responsibility for suspense and resolution of the complaint.
  - (12) Specific actions taken to resolve the service request.
- d. Within 3 business days, research a resolution and communicate it to the customer. If unable to successfully resolve within 3 business days, document case progress and associated activities in C360 service request.
- e. If the customer is not satisfied with the resolution, follow the escalation process for resolution.

### 165.52 **Processing a Written Complaint**

When a Postal Service employee is processing a written complaint, the employee must transfer all vital information from the customer's letter to the

Customer Complaint Control Log (see [Exhibit 165.3](#)). The employee must do the following:

- a. Contact the customer to acknowledge receipt of the complaint using the customer's preferred communication method identified in the correspondence (e.g., telephone, email, or letter).
- b. Review the written correspondence from the customer.
- c. Investigate and prepare a written response within the Service Level Agreement.
- d. Responses should:
  - (1) Be in a professional format;
  - (2) Address all the customer's issues; and
  - (3) Include the responder's name, title and contact information.
- e. Whenever possible, resolve the complaint within three business days.
- f. Document the complaint on Exhibit 165.3 or enter it in the appropriate system to ensure a timely response and the routine analysis of complaints. When recording the complaint, the following must be included:
  - (1) Customer name.
  - (2) Company name, if applicable.
  - (3) Customer address.
  - (4) Customer telephone number.
  - (5) Source of complaint.
  - (6) C360 service request number or package tracking number, if applicable.
  - (7) Type of contact.
  - (8) Type of acknowledgement (e.g., personal, telephone, email, and letter).
  - (9) Type of final response (e.g., personal, telephone, email, and letter).
  - (10) Date received.
  - (11) Suspense date.
  - (12) Assignment of responsibility for suspense and resolution of the complaint.
  - (13) Specific actions taken to resolve the service request.
  - (14) If a service request is created in C360, scan the customer's correspondence and attach it to the C360 service request.
  - (15) If documenting on the Customer Complaint Control Log, complete the log and file the customer's correspondence for one year in accordance with record retention policy.

#### 165.53 **Processing a Complaint Made by Telephone**

When processing a customer's complaint made by telephone, the Postal Service employee must document all vital information of the customer's



complaint in the Customer Complaint Control Log. The Postal Service employee should do the following:

- a. Answer promptly, within three rings and with courtesy.
- b. Thank the customer for calling the United States Postal Service.
- c. Identify your office name and your name.
- d. Listen and apologize on behalf of the United States Postal Service.
- e. If you're unable to resolve the complaint during initial contact, document the complaint on [Exhibit 165.3](#) or enter it in the appropriate system to ensure a timely response and routine analysis of complaints. When recording the complaint, the following must be included:
  - (1) Customer name.
  - (2) Company name, if applicable.
  - (3) Customer address.
  - (4) Customer telephone number.
  - (5) Source of complaint.
  - (6) C360 service request number or package tracking number, if applicable.
  - (7) Type of contact.
  - (8) Type of final response (e.g., personal, telephone, email, and letter).
  - (9) Date received.
  - (10) Suspense date.
  - (11) Assignment of responsibility for suspense and resolution of the complaint.
  - (12) Specific actions taken to resolve the service request.
- f. Establish a time you will contact them again and follow-up with the accurate information. Assume ownership of YOUR customer — do NOT transfer calls, if possible.
- g. Whenever possible, resolve the complaint within three business days.
- h. Thank the customer for using the United States Postal Service.

#### 165.54 **Processing USPS.com and 800-ASK-USPS Complaints via C360**

When responding to customer complaints assigned from *USPS.com* or 800-ASK-USPS, Postal Service employees must follow these instructions when processing the complaint:

- a. Contact the customer within 24 hours of receipt of the complaint, acknowledge the issue, and resolve it, if possible.
- b. If unable to resolve the complaint during initial contact, document the follow-up with the customer and resolve by the Service Level Agreement. If unable to successfully resolve within 3 business days, document service request progress and associated activities in C360.
- c. Adhere to the customer's preferred communication method indicated in the service request, as customer contact is vital to customer satisfaction.

- (1) Email responses should:
  - (a) Address the customer's complaint;
  - (b) Be in a professional letter format (use the email templates in C360); and
  - (c) Include the responder's name, title, and office name.
- (2) Telephone contact should be entered via the Log a Call feature in the Feed View - the service request, including the:
  - (a) Name of the person you spoke with, and
  - (b) Actions taken for resolution.
- (3) If contact is not made after three telephone attempts, document all contact attempts in the Post Section of the Feed View of the service request.
- d. Send the customer a customer contact letter or email, attach a copy to the service request and complete steps to resolve the service request.
- e. Provide adequate and accurate comments about the actions taken to resolve the customer complaint in the Post Section of the Feed View of the service request.

#### 165.6 **Headquarters to Field Referrals**

The following procedures and duties apply to administrative handling of complaints:

- a. The Consumer and Industry Contact manager is responsible for headquarters referrals. They should follow the Consumer Advocate Complaint Handling Guidelines.
- b. Field offices must respond within the assigned suspense date established by the Consumer and Industry Contact manager.
- c. Customer will be contacted by the Consumer and Industry Contact office to acknowledge receipt of the complaint from Headquarters for investigation and resolution within one business day.

#### 165.7 **Government Inquiries**

Postal Service employees should process inquiries from legislative and executive branch officials as follows:

- a. Follow the procedures in the *Administrative Support Manual*, 338.
- b. Process inquiries regarding service to a postal customer in the area served as written correspondence. These inquiries must receive prompt and conscientious attention.

#### 166 **Complaint Escalation Process**

The escalation of a service request should only occur if the initial point of contact cannot achieve resolution to the customer's satisfaction. The following outlines the escalation process for a customer complaint:

- a. Consumer and Industry Contact.

- (1) The Consumer and Industry Contact (C&IC) office receives and handles customer complaints that have not been resolved by the local Post Office:
    - (a) After two complaints are reported on the same issue;
    - (b) When the customer doesn't receive a callback, as requested; or
    - (c) Anytime the customer feels the local Post Office cannot handle their problem.
  - (2) If the C&IC office receives customer complaints which they cannot resolve, the C&IC office escalates the complaints to the next level within the district.
- b. District Marketing Manager.
  - c. District Manager.
  - d. Area Management.

## 167 Customer Contact Guidelines

### 167.1 General

This section provides guidance on how to handle complaints effectively. It does not provide final answers. Absolute rules cannot be established for handling complaints. In each service request, judgments must be based on the specific circumstances of how the problem can best be resolved. Each complaint should be given individual treatment. Every individual complaint is important to the customer and to our organization. Not only can a complaint to the Postal Service identify operational problems, it also provides an opportunity to turn a customer who is dissatisfied into an understanding, informed, and satisfied consumer. Conveying a concerned attitude is an underlying factor in successfully resolving complaints. The recommended approach is to follow these guidelines:

- a. If the problem was the fault of the Postal Service, an apology should be automatic.
  - (1) To the customer, the person answering the complaint represents the entire Postal Service.
  - (2) The customer should be advised that the Postal Service regrets any inconvenience.
- b. The customer is entitled to know why there was a problem.
  - (1) The customer has, after all, paid for a service that apparently was not received.
  - (2) Most people are responsive to a reasonable explanation.
- c. It is the responsibility of the Postal Service to inform customers of the proper application and use of postal rules and regulations.
  - (1) A customer may have misunderstood the rules and regulations and should not be criticized for any lack of knowledge in this respect. An apology for the misunderstanding should be automatic.
  - (2) If possible, explain why the rule or regulation is in effect.

- d. Impress upon the customer that the Postal Service is taking steps to ensure the problem does not occur again.
- e. The customer is helping the Postal Service by complaining. A complaint does the following:
  - (1) It suggests where improvements can be made, and
  - (2) It helps to spotlight little problems before they become big ones.
- f. Let the customer know that the Postal Service wants to be of help and that we encourage further contact if there are any problems in the future. Emphasize to the customer our concern about the quality of mail service.

**Note:** If a particularly difficult problem is encountered, consult higher level management about the best way to handle the complaint.

## 167.2 Receiving Complaints

### 167.21 In Person

Employees should always greet customers courteously, introducing themselves by name and title. Personal visits (walk-in customers) usually involve critical, time-sensitive issues that require immediate action. General guidelines for handling walk-in customers include the following:

- a. Discuss the customer's mail problem in a private, uncluttered area, away from the public.
- b. Alert the Postmaster or supervisor they have a customer that needs their assistance.
  - (1) Make the customer comfortable.
  - (2) Let the customer explain the problem without unnecessary interruptions.
  - (3) Accept whatever evidence the customer offers to substantiate the complaint.
- c. Tell the customer how long you think it will take to get back with an answer if the problem cannot be resolved immediately.
  - (1) Describe the actions you plan to take.
  - (2) Do not make promises or guarantees that you may not be able to keep.

### 167.22 By Telephone

Employees should always answer telephone calls promptly, courteously, and clearly. The standard guidelines for handling all incoming telephone calls include the following:

- a. Assign the responsibility for answering the telephone every day to at least two employees (clerk and/or supervisor).
- b. Ensure all calls are answered within three rings.
- c. Thank the customer for calling and greet him or her with a "Good morning" or "Good afternoon," as appropriate.
- d. Identify your office, department, and provide your name.

- e. Offer assistance by using the phrase “How may I help you?” Then go through the following steps:
  - (1) Identify the issue;
  - (2) Answer the question if you can. If you cannot, document the inquiry on [Exhibit 165.3](#), Customer Complaint Control Log.
  - (3) Establish a time you will contact them again.
  - (4) Follow-up with accurate information.
- f. Before ending the conversation, thank the customer for calling and offer to be of assistance in the future.

167.23 **By Letter**

Postal Service employees responsible for handling written customer complaints must contact the customer within one business day (24 hours) by email, letter, telephone call, or personal contact.

167.3 **Resolving Customer Complaints**

167.31 **General**

A delay in responding to customer complaints will result in a poor customer experience. A quick response lets the customer know that the Postal Service cares, which results in a positive customer experience. Customer complaints can be addressed in person, by telephone, via email, or by letter.

167.32 **In Person**

Postal Service employees who are responsible for responding in person to customer complaints should do the following:

- a. Upon completion of the investigation, you may arrange an appointment with the customer to discuss the results of the investigation.
- b. Thank the customer for bringing the matter to our attention and provide contact information for any future issues.

167.33 **By Telephone**

Postal Service employees who are responsible for responding by telephone to customer complaints should proceed as follows:

- a. Upon completion of the investigation, telephone customers to inform them of the findings.
  - (1) Some customer problems can be answered best by letter, but in many service requests a telephone call will suffice.
  - (2) Be friendly and informative.
  - (3) Discuss the findings with the customer.
- b. End the conversation by:
  - (1) Thanking the customer for bringing the matter to our attention, and
  - (2) Providing the customer with contact information for any future issues.

**167.34 By Letter or Email**

Postal Service employees who are responsible for responding in writing to customer complaints should proceed as follows:

- a. Upon completion of the investigation, write to customers to inform them of the findings.
  - (1) Responses should be concise, grammatically correct, and address the customer's concerns.
  - (2) Assistance may be obtained from the district Consumer and Industry Contact manager.
- b. The written response must be comprehensive and either:
  - (1) Correct the problem, or
  - (2) Explain to the customer why the problem cannot be corrected.
- c. Written responses should end with a paragraph that:
  - (1) Thanks the customer for bringing the matter to our attention.
  - (2) Provides contact information for any future issues.
- d. All responses should be professionally typed and without error. Letter responses must be prepared on official Postal Service stationery.
- e. If the complaint was referred by another office, provide the originating office with a copy of your letter or report so that the service request can be closed at that level.

**168 Measurement of Effectiveness and Benefits****168.1 Effectiveness**

Management monitors the quality and timeliness of complaint resolution by conducting reviews of the following:

- a. Customer Insights performance.
- b. Consumer Affairs field audits.

**168.2 Benefits**

The Postal Service expects these benefits from reviewing the complaint resolution process:

- a. To improve customer satisfaction with the complaint handling process.
- b. To establish accountability for effective resolution of customer complaints.
- c. To identify and correct service deficiencies that cause complaints.

**Note:** Postal Service managers are never to be criticized or disciplined based solely on the number of complaints reported.

**169 Other Consumer Services****169.1 General**

Reports of postal offenses and requests for information regarding the mistreatment of mail are handled as outlined in the following sections.

**169.2 Reporting Postal Offenses**

Follow the instructions in the *Administrative Support Manual, 22*, for employee reporting. When criminal or serious postal offenses are indicated or suspected, discuss allegations with the Inspection Service. Report immediately any of the following unlawful acts to the Postal Inspection Service:

- a. Theft of mail from any authorized mail receptacle.
- b. Obstruction, interception, tampering, or rifling of mail.
- c. Possible theft, raising the amount (alteration), or counterfeiting of money orders.
- d. Assaults on customers by employees or information concerning assaults on employees.
- e. Attempts to manipulate or defeat postal currency changers or postal vending machine equipment.
- f. Receipt of obscene correspondence or advertising material from foreign or domestic sources.
- g. Presence of narcotics and dangerous drugs in the mail.
- h. Libelous, threatening, or extortionate correspondence.
- i. Presence of concealable firearms, switchblade knives, motor vehicle master keys, intoxicants, poisons, chemicals, inflammable materials, abortifacients, and contraceptives in the mail.
- j. Complaints pertaining to customers' failure to receive merchandise or services ordered by mail.
- k. Complaints pertaining to customers alleged to have been defrauded by schemes through use of the mail.

**169.3 Requests for Information Regarding the Mistreatment of Mail, Claims and International Inquiries**

*Mistreatment of mail* is a general term that encompasses loss, rifling, and damage to mail. Encourage customers to report instances of mistreatment of mail, even for cases with no provision for payment of indemnity. The particular form and procedure for reporting mistreated mail depends on such factors as:

- a. The type and content of the mail, and
- b. The origin of the complaint or discovery.

[Exhibit 169.3](#) summarizes these distinctions and provides references to more detailed explanations. The forms needed to process customer complaints and to make reports regarding mistreated mail include the following:

- a. Label 97, *Rifled Parcel*.
- b. PS Form 673, *Report of Rifled Parcel*.
- c. PS Form 1000, *Domestic Claims*.
- d. PS Form 3760, *Parcel Search Request*.

Exhibit 169.3

**Mistreated Mail Reference Table**

Mail Description	Form Used	Instruction/Reference
Inquiries/Complaints Initiated by Customers		
1. Government Checks	None	Advise customers to contact the issuing agency.
2. Serious Losses	None	Report to inspector-in-charge. See <a href="#">169.2</a> .
3. Federal Income Tax Related Mail:		
a. Ordinary and Registered	None	Advise customers to contact the field office of the Internal Revenue Service for their area.
b. Certified Mail	None	Check PTS
Mail Exchanged within the United States:		
1. Ordinary	None	
2. Registered	PS Form 1000	See DMM.
3. Insured	PS Form 1000	See DMM.
4. Certified Mail	None	
5. COD	PS Form 1000	See DMM.
International Mail:		See IMM, Chapter 9.
1. Ordinary	None	
2. Registered:		
a. Loss	None	Advise customer to contact International Research Group at 800-222-1811 to initiate an inquiry.
b. Damage/Rifling	None	Advise customer to contact International Research Group at 800-222-1811 to initiate an inquiry.
3. Insured	None	Advise customer to contact International Research Group at 800-222-1811 to initiate an inquiry.
4. Certified Mail	None	
5. COD *	None	
Damages Discovered by Postal Service		
1. Parcels separated from wrapper	PS Form 3760	See <a href="#">169.3</a> .
2. Parcels, rifled	PS Form 673	See <a href="#">169.3</a> .
	Label 97	See <a href="#">169.3</a> .
*This service is not available.		

**169.4 Other Requests for Information (Inquiries and Claims)**

Formal inquiries concerning claims, tracers, refunds, or postal offenses must be reported in accordance with instructions contained in DMM P014 and S010 for customer reporting, and ASM 22 for employee reporting. For requests concerning Registered Mail articles, insurance, money orders, and nondelivery of mail, the appropriate forms follow:

- a. PS Form 1000, *Domestic Claim or Registered Mail Inquiry*.
- b. PS Form 2855, *Claim for Indemnity — International Registered, Insured, and Priority Mail Express*.
- c. PS Form 6401, *Money Order Inquiry*.



## 17 Public Services

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### 171 Voter Registration, Polling, and Absentee Balloting

#### 171.1 Voter Registration

Voter registration may be conducted on postal premises only with the approval of the postmaster. A postmaster may approve voter registration requests provided that all of the following conditions are met:

- a. The registration must be conducted by government agencies or nonprofit civic leagues or organizations that operate for the promotion of social welfare but do not participate or intervene in any political campaign on behalf of any candidate for any public office.
- b. Absolutely no partisan or political literature is available, displayed, or handed out. This includes photographs, cartoons, and other likenesses of elected officials and candidates for public office.
- c. Voter registration is permitted only in those areas of the postal premises regularly open to the public.
- d. The registration must not interfere with the conduct of usual postal business, postal customers, or postal operations.
- e. The organization will provide and be responsible for any equipment and supplies.
- f. No contributions are solicited.
- g. Access to the workroom floor is prohibited.
- h. Voter registration activities do not become permanent but are limited to an appropriate period before an election.

#### 171.2 Polling

##### 171.21 Approval and Criteria

Approval to use postal premises as a polling place is given by the Postmaster General or designee. A request to use a postal facility will be considered only if the facility is the only reasonable available place for voting in the area and the following conditions are met:

- a. The facility must be used as is and must not be materially altered to accommodate machines, voters, or workers.
- b. The Postal Service will not provide any assistance in the installation or removal of items needed for voting or in the polling process itself.
- c. Voting must not interfere with normal postal business.
- d. Voter entrances and exits must be arranged to ensure the security of the mail.
- e. Workroom floor space may not be used for voting.
- f. Local law enforcement officials must agree in advance to enforce Postal Service regulations governing conduct on postal premises and all applicable state and local laws during the voting.

- g. The state or local government must agree in advance to reimburse any costs incurred by the Postal Service for additional security, utilities, or building operations necessary to allow the use of the facility for voting.
- h. There must be an absolute prohibition against the display or distribution of any political literature, badges, insignia, or posters on Postal Service premises, including parking areas. This provision does not deprive employees of their rights as stated in *Employee and Labor Relations Manual* (ELM) 663.1.

#### 171.22 **Requests**

Submit polling requests to Retail Operations, Headquarters, through the area manager, Customer Service Support, no fewer than 60 days before the election. A request must include complete details addressing each of the above conditions and a statement that there are no suitable nonpostal facilities available. These procedures are intended to provide for the use of postal premises where they are truly needed for voting and, at the same time, to ensure that there is no disruption of postal services.

#### 171.3 **Absentee Balloting Materials Not to Be Detained**

Except as provided in ASM 274, absentee balloting materials must not be detained or treated as unpaid mail. The materials must be promptly dispatched and delivered to the addressees. Questions about possible abuse or impropriety must be referred to the RCSCs.

### 172 **Selective Service Registration**

#### 172.1 **Purpose**

To assist the Selective Service System (SSS) with its registration effort by providing space in lobbies of classified Post Offices, stations, and branches for registration materials. Contract postal units are not involved.

#### 172.2 **Scope**

With only limited exceptions, the requirement to register with the SSS applies to all male U.S. citizens and male aliens aged 18 through 25 residing in the United States. That includes undocumented workers, recent parolees, and applicants for asylum. Handicapped men must also register.

#### 172.3 **Request for Materials**

In the Interagency Agreement with SSS, the Postal Service agrees to stock, provide, and display Selective Service Registration forms and materials. The following is a list of the required registration materials that can be obtained through the Material Distribution Center at Topeka, KS, and should always be available in the lobby.

- a. SSS 1M, *Registration Form*.
- b. SSS Form 2, *Change Of Information*.
- c. SSS Lobby Poster 46, *Read It. Fill It. Mail It*.
- d. SSS Display Box 45, Plastic Display Box.

Check stock several times a week to make sure adequate supplies of the SSS 1M, *Registration Form*, are on display at the service table areas or behind the counter.

**Note:** Order SSS/Postal Service Registration Handbook as needed by writing to:

SELECTIVE SERVICE SYSTEM (OPR)  
1515 WILSON BLVD  
ARLINGTON VA 22209-2425

SSS Brochure No. 10., *Selective Service*, will not be maintained in our lobbies and will no longer be available through the Material Distribution Centers. Registrants may only request Brochure No. 10 by writing to:

CONSUMER INFORMATION CENTER  
PUEBLO CO 81009-0001

#### 172.4 **Registration Procedures**

There are just a few simple steps in the registration process:

- a. Direct the prospective registrant to the counter display or the Display Box 45 at the service table area where he may retrieve an SSS 1M, *Registration Form*, which he uses to register. Or if forms are kept behind the counter, give him an SSS 1M, *Registration Form*, which he uses to register.
- b. If asked by the prospective registrant, instruct him to complete the form according to the directions on the form and mail the form (with the proper postage) himself directly to Selective Service's address shown on the SSS 1M.
- c. If a prospective registrant has specific questions about registration, he should be directed to call Selective Service's Information Office at 1-888-655-1825. All other inquirers may be directed to 1-847-688-6888.

### 173 **Assistance to Government Agencies**

#### 173.1 **Criteria**

The Postal Service may assist federal agencies in making their services available to the public in areas where there is an unfulfilled need for such services and where they can be provided without detriment to postal operations. Such assistance is provided under terms and conditions, including reimbursability, as the Postal Service and the head of the agency concerned deem appropriate. The services may be provided by retail employees and through the use of postal lobbies.

#### 173.2 **Types of Services**

A table of services provided by the public service assistance programs of the Postal Service may be found in the ASM, chapter 4. Some of these programs include the following:

- a. Sale of migratory bird hunting and conservation stamps.
- b. Acceptance of passport applications.
- c. Distribution of food coupons.

## 18 Postage Meters

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### 181 Licensing and Mailings

#### 181.1 Description

Postage meters are devices that can print one or more denominations of postage and display the amount of postage used and the amount remaining. A meter locks when no postage or minimal postage remains. A meter generally must be taken to the licensing Post Office to be reset by payment of additional postage. Avoiding the payment of postage by misusing a meter is punishable by law. DMM 604.4 contains the general rules governing the use of meters.

#### 181.2 Approved Meters

Postage meters are available only by lease from authorized manufacturers as listed in DMM 604.4. The Postal Service holds manufacturers responsible for the control, operation, maintenance, and replacement of their meters.

#### 181.3 Licensing

An applicant wanting to be licensed to lease and use a meter must provide an original signed PS Form 3601-A, *Application or Update for a License to Lease and Use Postage Meters*, to the Post Office where the applicant plans to deposit mail, to a meter manufacturer's representative, or to the National Customer Support Center under the Centralized Meter Licensing System (CMLS). The procedures in DMM 604.4 must be followed for licensing meter customers, including the procedures for transferring and relocating meters.

#### 181.4 Meter Stamps

Only the meter stamp designs authorized in DMM 604.4 may be used. Meter stamps must be legible and not overlap. Those that are illegible or overlapping do not count when determining postage paid. Fluorescent ink is mandatory for meter imprints on letter size mail. When meter strips are to be printed on tape, Postal Service-approved tape must be used. DMM 604.4 contains standards for the content of the meter indicia (such as date of mailing and Post Office of mailing).

#### 181.5 Mailings

Mailers must follow the appropriate standards for the class and rate of mail and those in DMM 604.4 when preparing metered mail for mailing, whether single-piece rate mailings or presorted or automation rate mailings.

### 182 Setting

#### 182.1 General Standards

Before delivering a meter to the licensee, the meter manufacturer must take the meter to be set, sealed (if applicable), and checked into service by the Post Office where the meter is to be regularly set or examined, unless the

meter is serviced through the on-site meter-setting program. DMM 604.4 contains the rules for setting meters.

182.2 **Procedures**

For updated instructions on meter setting, installation, withdrawal, and examination, Post Offices should refer to the *Postal Bulletin* or contact Metering Technology Management at Postal Service Headquarters at the following address:

METERING TECHNOLOGY MANAGEMENT  
US POSTAL SERVICE  
475 L'ENFANT PLZ SW  
WASHINGTON DC 20260-6801



# 2 Philately

## 21 Philatelic Policies and Procedures

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### 211 Policy

Employees should familiarize themselves with the national policies governing the release, sale, and discontinuance of postage stamps and postal stationery. These policies are established by Stamp Services at Headquarters. The policies governing philatelic products are also administered by Stamp Services. Uniform application of these policies provides a high degree of integrity to the entire program. All Postal Service employees and contractors must comply with the policies and procedures in this chapter. The guidelines are as follows:

- a. Postage stamps and postal stationery items depict the cultural and historical heritage of the United States. They describe the nation's achievements; portray the country's natural wonders; instill pride in America; and focus attention on causes, issues, and interests of national concern. The Postal Service encourages the widespread use of these stamps and stationery items to promote national ideals, progress, and heritage.
- b. Stamp products are designed and promoted to expand interest in both the use of the mail and the hobby of philately (stamp collecting) by demonstrating the fun of stamp collecting and historic value of stamps.
- c. Postal Service employees should refrain from intentionally creating philatelic rarities.

### 212 Stamp and Stationery Subjects

#### 212.1 Selection

Subjects for postage stamps and postal stationery items may be proposed by the public through written correspondence to the Citizens' Stamp Advisory Committee (CSAC). The committee is responsible for evaluating the merits of all stamp proposals. CSAC is composed of individuals from outside the Postal Service whose backgrounds reflect a wide range of educational, artistic, historical, and professional expertise. CSAC members are appointed by the postmaster general. After reviewing suggestions submitted by the public, CSAC recommends both subjects and designs for stamps and postal stationery items to the postmaster general, who makes the final selections.

## 212.2 **Criteria for Eligibility**

The U.S. Postal Service and the members of the Citizens' Stamp Advisory Committee (CSAC) have set the following basic criteria to determine the eligibility of subjects for commemoration on all U.S. stamps and stationery:

1. U.S. postage stamps and stationery will primarily feature American or American-related subjects. Other subjects may be considered if the subject had significant impact on American history, culture or environment.
2. The Postal Service will honor extraordinary and enduring contributions to American society, history, culture or environment.
3. U.S. stamp programs are planned and developed two to three years in advance. In order to be considered, subject matter suggestions should be submitted three or more years in advance of the proposed stamp.
4. Living people will not be considered at the present time. As of 2018, proposals for a deceased individual will be considered three years following the individual's death.
5. A memorial stamp will be issued honoring U.S. presidents after they are deceased.
6. Events of historical significance will be considered for commemoration on anniversaries in multiples of 50 years.
7. A balance of stamp subjects that includes themes of widespread national appeal and significance will be considered for commemoration. Official postal cancellations, which may be arranged through the local postmaster, may be requested for significant local events or commemorations.
8. Commemorative postage stamps will be issued at intervals of 50 years from the date of the state's first entry into the Union.
9. The stamp program commemorates positive contributions to American life, history, culture, and environment; therefore, negative occurrences and disasters will not be commemorated on U.S. postage stamps or stationery.
10. Due to the limitations placed on annual postal programs and the vast number of locales, organizations, and institutions in existence, it would be difficult to single out any one of the following for commemoration: government agencies, localities, non-profit organizations, associations, and similar entities. Stamps or stationery items will not be issued to honor religious institutions or individuals whose principal achievements are associated with religious undertakings or beliefs. However, these subjects may be recognized with commemorative postmarks.
11. Stamps may be issued for the five active-duty branches — Air Force, Army, Navy, Marines, and Coast Guard. This includes Reserve/Guard components of the current organizational structure. Stamps for the major service academies will be considered on a case-by-case basis for 50-year anniversaries (or multiples thereof).



### 212.3 **Submission**

Ideas for stamp and stationery subjects should be submitted at least 3 years in advance of the proposed date of issue. This allows the committee enough time to consider the idea and to design and produce the stamps, if the subject is approved. Send ideas for stamp subjects that meet the criteria to the following address:

CITIZENS STAMP ADVISORY COMMITTEE  
C/O STAMP DEVELOPMENT  
US POSTAL SERVICE  
475 L'ENFANT PLAZA SW, ROOM 3300  
WASHINGTON, DC 20260-3501

### 212.4 **Approval and Design**

Once a subject is approved, the Postal Service relies on design coordinators to help select artists who will then execute the designs. The Postal Service does not review or accept unsolicited artwork from the public.

## 213 **Distribution and Requisition of Accountable Paper**

### 213.1 **Stamp Distribution Offices**

All Post Offices generally receive initial supplies of new stamp issues without having to requisition them. Stamp products, such as the annual commemorative stamp yearbooks and the *Postal Service Guide to U.S. Stamps*, are generally distributed automatically to stamp distribution offices (SDOs). These distribution destinations must:

- a. Establish a program for distributing new stamp products to associate Post Offices and replenishing existing stamp products.
- b. Ensure that less-than-bulk quantities of stamps are supplied to all Post Offices so the stamps can be placed on sale in accordance with instructions issued in the *Postal Bulletin*. SDOs requiring additional stamp products should requisition them from their accountable paper depository. All other Post Offices should requisition stamp products from their SDO or their usual source of supply for less-than-bulk orders.

### 213.2 **Accountable Paper Custodians**

The accountable paper custodian or other individual in charge of the stamp stock at each Post Office is responsible for requisitioning and maintaining an adequate inventory of stamps, postal stationery items, and other stamp products required for efficient and effective operation. This individual should periodically evaluate demand and, when necessary, forward a requisition for additional stock to the designated supply source. All requisitioning must be in accordance with the procedures given in Handbook F-1, *Post Office Accounting Procedures*, section 420. When necessary, accountable paper custodians may reduce the quantity of stamps received automatically to reduce costly overstocking and subsequent destruction. To request a change for quantities of stamps, send a memorandum to the designated SDO.

## 22 Retail Sales Policy

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### 221 General

#### 221.1 Sales Channels

Stamps, postal stationery items, and stamp products are sold at Post Offices and various postal retail facilities described in this section. Most of these facilities have regular stamp windows, and some are designated as philatelic centers. Philatelic centers sell current stamps and philatelic products. Some Post Offices provide specialized philatelic services and sell the full range of stamps and philatelic products offered by the Postal Service. These facilities, as well as Stamp Fulfillment Services (SFS), are referred to collectively as philatelic centers. SFS in Kansas City, Missouri, is a central facility that services mail, telephone, and Internet orders for postage stamps, including philatelic quality stamps and other philatelic products.

#### 221.2 First Day of Issue Sales

Only the Post Office or offices designated as official first day of issue offices or as first day of sale offices may sell new stamps and stationery items on the first day of sale. New issues will be placed on sale nationwide on the next business day following the first day of sale; although, there are special cases where new issues are placed on sale nationwide on the first day of issue.

#### 221.3 Withdrawal From Sale

Notices about the withdrawal of stamp, stationery items, and philatelic products are published in the *Postal Bulletin*. The notices give effective dates for removing the items from sale.

#### 221.4 Stamps for Philatelic Products

Stamps that are withdrawn from sale but are incorporated into philatelic products, such as mint sets or stamp collecting kits, may be sold at philatelic windows, Postal Service stores, philatelic centers, and SFS.

#### 221.5 Exceptions to Sales Policies

Stamp Services may, at its discretion, establish exceptions to the sales policies. Exceptions applicable to Postal Service outlets are announced in the *Postal Bulletin*.

### 222 Regular Stamp Windows

#### 222.1 Definition

Regular stamp windows are retail stations in Post Offices that accept mail and sell stamps, stamped stationery, and stamp-related products. They also may offer other services, such as money order sales, meter setting, and parcel shipments.

## 222.2 Sales Policy

### 222.21 Commemorative Stamps

Commemorative stamps are printed in limited quantities, and Postal Service outlets should strive to sell all commemorative stamp stock. Commemorative stamps may not remain on sale after the official date of withdrawal from sale. Stamp Services announces withdrawal dates in the *Postal Bulletin*.

### 222.22 Plate Number Blocks and Marginal Markings (All Stamps)

#### 222.221 Description

Plate number blocks are generally located on each corner of a pane of stamps with a plate number or numbers printed in the margin (selvage). Plate number blocks may include as few as four stamps where a single number appears, or as many as 20 where interest extends to other marginal markings. Various kinds of markings may appear on the selvage of stamps printed in sheets in addition to the plate number, such as the Postal Service copyright notice, or other subject-related informational inscriptions or other Postal Service slogans.

#### 222.222 Setting Aside Plate Number Blocks

Retail associates must break panes of stamps for regular sale purposes as follows:

- a. Tear stamps from the edge of the pane farthest from the plate number or marginal markings in order to preserve the plate block for collectors. Whenever possible, tear stamps from sheets of a single stamp design on an as-needed basis, one at a time.
- b. Set aside quantities of plate blocks or marginal markings as the panes are broken during regular sales transactions, but do not set them aside in advance.

#### 222.223 Minimum Purchase Requirements and Sales Limitations

The following is a list of the minimum purchase requirements and sales limitations for plate number blocks and marginal markings:

- a. When the retail associate has a broken pane of stamps from which the plate block or other marginal marking has been sold and when no plate block or other marginal marking has been set aside, the following minimum purchases must be made by customers wanting the plate block or other marginal marking:

Denomination	Minimum Purchase
1 cent to current First Class, first ounce rate	Full marginal strip of stamps (two rows deep having all marginal markings)
Above First Class, first ounce rate to \$1.99	Half marginal strip
\$2.00 and above	Block of four stamps

**Note:** There are no minimum purchase requirements when a retail associate has only full panes of the requested stamp in stock or a broken pane that contains the plate block or other marginal marking. First Class rate sheets of se-tenant stamps are sold in full format only.

- b. Limitations to sales are as follows: Each customer for whom a pane is broken is limited to one marginal strip (\$.01 to \$0.58), a half marginal strip (\$0.59 to \$1.30), or a block of 4 stamps (\$1.31 and above) for each stamp subject, per day. It is necessary to place a limit on individual sales of plate blocks and other marginal markings so that the philatelic stock available at Post Office windows may accommodate as many collectors as possible each day.
- c. Customers requesting more than the maximum permissible purchase in denominations of the single-ounce, First Class Mail rate should be asked to inquire on another day or to contact SFS (844-737-7826).

#### 222.23 **Coil Stamps**

Regular retail windows should not open and break coils of stamps, except for newly issued stamp coils, which may be opened and sold in less-than-full coil quantities, subject to the following limitations:

- a. Sales of newly issued coil stamps in less-than-full coils are restricted to a 1-month period beginning with the authorized first day of sale for each particular stamp issue.
- b. These sales are further restricted to a single stamp window at each location designated by the postmaster to conduct such sales.
- c. Coil stamps bearing fractional denominations must be sold in multiples that reach full cent amounts.
- d. Stamps remaining in partial coils after the sales period expires are sold at regular windows for postage.

#### 222.24 **Precanceled Stamps**

Stamp collectors may buy precanceled postage for philatelic purposes. There is no limitation on the sale to collectors of full coils of each of the precanceled denominations available. Purchases may be made in person or by mail by nonpermit holders for philatelic purposes only. Collectors may not mail matter bearing precanceled postage if they do not have a permit to use precanceled postage at the Post Office where the mail is presented.

#### 222.25 **Meter Postage**

Customers may buy meter postage and postage-due meter postage for philatelic purposes from Post Offices that have been assigned postage meters. Meter postage and postage-due meter postage may not be issued for any amount less than the First-Class Mail, single-piece rate. Postage and mailing center (PMC) strips may be sold for philatelic purposes at the current, First-Class Mail rate only. Postage validate imprinter (PVI) strips are not meter stamps and may not be sold for philatelic purposes.

### 223 **Dedicated Philatelic Windows**

#### 223.1 **Definition**

A dedicated philatelic window is a lobby window designated to sell stamps, stationery, and other related philatelic products. Other postal services are ordinarily not available at these dedicated philatelic windows, which are to be identified as such, so that customers desiring other services are directed to

the appropriate windows. Many of the same items sold at designated philatelic centers are also sold at dedicated philatelic windows. For philatelic centers, see part [224](#).

## 224 Philatelic Centers

### 224.1 Definition

Philatelic centers are retail areas or self-contained facilities separate from the lobby window positions. These centers display and sell, with a few exceptions, all current postage stamps, stamped stationery, and related philatelic products, including commemorative stamps, definitives, regular-issue stamps, coils, international rate stamps, booklets and booklet panes, packets of stamped embossed envelopes, postal cards, message reply cards, and aerogrammes. The SFS is also a philatelic center.

### 224.2 Sales Policy

#### 224.21 Plate Number Blocks/Marginal Markings (All Stamps)

The sales and disposition policies described in [222.22](#) apply except as follows:

- a. Retail associates may sell to each customer one matched set of four marginal strips for any stamp in stock. There are no limitations on the sale of plate blocks of stamps having denominations greater than 1 dollar.
- b. SFS may, however, sell at face value any quantity of marginal strips of stamp issues.

#### 224.22 Coil Stamps

Philatelic centers may open coils of stamps as requested. To guarantee receipt of a plate number on coils, the following minimum purchases are required:

- a. Precanceled stamps: 25 stamps.
- b. \$1 denominations or greater: 5 stamps.

SFS may offer plate numbers on coil strips that vary from the minimums noted above.

#### 224.23 Precanceled Stamps

The sales policy described in [222.24](#) applies except that coils of precanceled stamps may be opened for the sale of individual stamps to collectors.

#### 224.24 Meter Postage

Customers may buy meter postage and postage-due meter postage for philatelic purposes from Post Offices that are assigned meters. Meter postage and postage-due meter postage may not be issued for any amount less than the First-Class Mail, single-piece rate of postage. PMC strips may be sold for philatelic purposes at the current First-Class Mail rate only. PVI strips are not meter stamps and may not be sold for philatelic purposes.

## 224.25 **Stamp Credit (Accountability)**

### 224.251 **Stock Levels**

Philatelic centers should maintain a good working level of stamp stock, stationery, and stamp products to meet the needs of collectors and to encourage interest in philately. Therefore, postmasters may maintain a postage stock of up to \$125,000 for each philatelic outlet at their office. This stock may be in excess of normal authorized stock limits. This inventory level does not apply to SFS.

### 224.252 **Special Authorization**

Special authorization for postage stock exceeding \$125,000 requires these steps:

- a. If operating requirements require postage stock in excess of \$125,000, written notification must be submitted to the appropriate area marketing or retail manager, requesting special authorization.
- b. The area marketing or retail manager, with concurrence of the local Inspector in Charge, may authorize postage stock up to \$250,000. The total amount of annual sales at the philatelic outlet must be included with any request for authorization to maintain a postage stock in excess of \$125,000 for that outlet. Such requests are approved only when the total sales justify the increase in stock level. If approved at the area office level, the request should be forwarded to Headquarters for concurrence by the manager, Stamp Distribution.

### 224.253 **Stamp Credit**

Responsibility for stamp credit is as follows:

- a. All retail associates working in philatelic centers are fully accountable for their own stamp credit.
- b. Postmasters are responsible for providing adequate security equipment for secure storage of these credits at all times.

## 225 **Temporary Philatelic Stations**

### 225.1 **Definition**

Post Offices may establish temporary stations to provide philatelic services and to sell stamps and stamp products. These stations may include specially constructed counters or mobile retail units. Temporary stations are most frequently located at stamp shows or exhibitions, stamp dedications, state fairs, conventions, parades, or other activity sites of significant public or philatelic interest.

### 225.2 **Requests for Temporary Stations**

Requests for temporary Postal Service stations should be made by the sponsors or organizers to the local postmaster.

### 225.21 **First Day of Issue Events**

All first day of issue ceremonies are conducted under the direction of Events and Promotions, Public Affairs and Communications, Headquarters. Requests for first day of issue or other special support that must come from the national level should be directed to Events and Promotions. Once a postmaster has

agreed to participate in an event, a unilateral withdrawal from such a commitment may not be made without the approval of Events and Promotions. Any such withdrawal must be based upon a showing of good cause.

225.3 **Authorization**

Temporary philatelic stations may be authorized by postmasters. Postmasters may participate at events where admission fees are charged by the sponsor if the same pictorial postmark used at the event is available on request to those not attending the event.

225.4 **Ceremonies**

Postmasters and other local officials are encouraged to participate in opening ceremonies for stamp exhibitions or other stamp ceremonies arranged by philatelic groups, whether or not a temporary philatelic station is authorized.

225.5 **Announcement and Publicity**

225.51 **Posters**

An announcement of the temporary philatelic station and any event postmark may be posted on the main Post Office lobby bulletin board and may be posted in other Post Offices within a 10-mile radius of the event so that collectors will be advised of the Postal Service's participation. For larger events, the posting may occur throughout the district or as requested by Headquarters. Posters should be placed on display at least 15 days before the event but in no case more than 30 days before the event. All announcements must emphasize the temporary philatelic station. The announcements should mention the name of the event, pictorial or standard postmark (if any), dates and hours open to the public, and the location. Promotional material for the event itself must not be incorporated.

225.52 **Press Releases**

The postmaster should also announce through press releases to local newspapers, the planned establishment of the temporary philatelic station. The Post Office, however, must not distribute free flyers to homes, sell or distribute tickets, exchange ticket coupons, or authorize the use of Post Office facilities for direct event promotion.

225.6 **Participation in Events**

225.61 **Planning**

Postmasters should ensure that detailed planning begins well in advance of the event so that participation brings credit to the Postal Service and provides a wide range of stamps and stamp products to collectors and other customers. Particular attention should be taken in selecting sales personnel who are knowledgeable about philately and who have retail experience. All retail associates should be fully trained in stamp sales and pictorial postmark policies.

### 225.62 **Stamp Stock**

The postmaster should secure a wide range of stamp products and current postage, using the *USA Philatelic* catalog as a guide. No stamps, stationery, or products that have been withdrawn from sale may be sold. Sales withdrawals are noted in the *Postal Bulletin*. Postmasters should requisition philatelic stock not already available in their Post Office from their SDO or usual source of supply on PS Form 17, *Stamp Requisition/Stamp Return*, indicating the quantity required to sell at the stamp show, exhibition, or other purpose as described in [225.1](#). For these events, stamps with denominations greater than \$1 may be requisitioned in plate blocks of four, as noted in [222.21](#). At the conclusion of the event, excess philatelic stock, including remainders from commemorative sheets, should be sold at the regular stamp windows for postage purposes.

### 225.63 **Philatelic Products**

Postmasters should display, promote, and sell philatelic products such as the commemorative stamp yearbooks, the *Postal Service Guide to U.S. Stamps*, stamp collecting keepsakes or kits, and topical stamp sets.

### 225.64 **Sales Restrictions**

The sales policies about plate blocks and marginal markings are described in [222.22](#).

### 225.65 **Security and Facilities**

Postmasters should ensure that sufficient security for the stamp stock is provided at the event site and that all other facilities are adequate.

### 225.66 **Appearance**

Postmasters should ensure that the appearance of the temporary philatelic station brings credit to the Postal Service by using attractive signs and by having enough space for satisfactory service. The hours that the station is open must be posted.

### 225.67 **Prompt Service**

At exhibitions where a large number of collectors are expected, postmasters should consider using a speedy line, distributing customer numbers that can be announced, or employing another method that would provide quick service to customers and reduce waiting.

### 225.68 **Sales Report**

An event sales report showing both gross and net revenue must be submitted to the district manager or designee within 1 week of the close of every temporary philatelic station.

## 226 **Mail Order**

SFS handles mail, telephone, and Internet orders for postage stamps, philatelic quality stamps, and other philatelic products. Customers may request a catalog listing items available by calling 1-800-STAMP-24, or by writing to:

INFORMATION FULFILLMENT  
DEPT 6270



PO BOX 219014  
KANSAS CITY MO 64121-9014

**Note:** Post Offices may not fill mail orders for stamps and other philatelic items other than mail orders under the Stamps by Mail program and orders for local philatelic postmarks. Customers must furnish a self-addressed, stamped envelope for return of precanceled stamps. Postmasters may not order precanceled postmarking devices solely to satisfy collector demands.

## 227 **Guidelines for the Purchase and Sale of Local Commemorative Envelopes**

This part provides guidelines for postmasters and district managers for the local purchase and sale of commemorative envelopes (covers/cachets). See [Exhibit 227](#) for a Local Purchasing and Sale of Commemorative Envelopes Check-Off Sheet.

### 227.1 **Event Criteria for Producing Commemorative Envelopes**

Commemorative envelopes should only be considered for large-scale local events or historical events that have either a broad local appeal or importance. Use the guidelines presented in this part when creating commemorative envelopes in support of local events. Only requests to create commemorative envelopes in support of local events will be accepted.

### 227.2 **Responsibilities for Producing Commemorative Envelopes**

#### 227.21 **Postmaster Responsibilities**

##### 227.211 **Request to Produce Commemorative Envelopes**

At least 90 days prior to a local event or the required product sales date, postmasters must submit their request to produce commemorative envelopes to their district manager or designee. Postmasters should direct any exceptions to the 90-day advance notice policy to their district manager or designee.

##### 227.212 **Items to Include With Requests**

Postmasters must justify to their district manager or designee through a cost benefit analysis the expected Return on Investment (ROI). With the exception of work hours, all associated expenses are charged as a negative to revenue; therefore, projected revenue must exceed expense. When submitting a request to the district manager, postmasters should include the following items:

- a. A brief description of the local event including the dates, location, and expected number of attendees.
- b. A cost benefit analysis with a breakdown of actual costs (including work hours) and revenue projections. The analysis should include costs associated with the event and product development including the following:
  - (1) Cost of the stamps: the face value of postage stamps included on the product.

- (2) Stamp bursting and affixing costs.
  - (3) Design costs: costs associated with the design of the commemorative envelope.
  - (4) Licensing costs: costs associated with using design or images on a cachet.
  - (5) Envelope costs: costs of the actual envelope.
  - (6) Printing costs: costs associated with printing the cachet.
  - (7) Price breaks: savings associated with ordering specific quantities of cachets.
  - (8) Cancellation costs: costs associated with canceling the product, including work hours, postmark device, ink, or any other supplies.
  - (9) Packaging costs: supplier's cost to package for shipping.
  - (10) Shipping costs: costs associated with shipping for cancellation and final destination.
  - (11) Distribution costs: costs associated with distributing product to the retail counter.
  - (12) Mail order costs: costs associated with filling mail orders including work hours, office space, supplies, etc.
  - (13) Special event costs: costs associated with setting up and staffing a temporary retail unit at the local event (including work hours).
  - (14) Accounting costs: costs associated with tracking the product quantities during development and sales.
  - (15) Promotional costs: costs associated with any advertising or promotional effort.
  - (16) Destruction costs: costs associated with product spoilage and excess product.
- c. Net revenue projections including the following:
- (1) Revenue projections: gross and net revenue projections based on expected unit sales.
  - (2) Breakeven point: minimum product sales to cover all costs associated with the event and product development.
  - (3) ROI.

**Note:** See Exhibit 227.212 for a sample Cost Benefit Analysis.

## Exhibit 227

**Local Purchasing and Sale of Commemorative Envelopes Check-Off Sheet****Postmaster Responsibilities**

- \_\_\_\_\_ Submit requests to produce/purchase commemorative envelopes to the district manager and/or designee. Include cost benefit analysis and revenue projections.
- \_\_\_\_\_ Complete an eBuy and obtain all necessary funding approval. Expenses should be reported in Account Identifier Code (AIC) 524. Purchases made under local purchase authority are subject to the policies and procedures in the *Administrative Support Manual (ASM)* and Handbook AS-709, *Credit Card Policies and Procedures for Local Buying*. Purchases valued at more than \$10,000 must be submitted to Supply Management for handling, so allow time for solicitation and award of the contract; in addition, if the purchase is valued at more than \$10,000 and a specific supplier will be used due to existing licensing agreements, a noncompetitive justification is required.
- \_\_\_\_\_ Purchase stamps for the commemorative envelopes (at face value) using an eBuy request, or have the supplier include the stamp (face value) cost in its product production cost.
- \_\_\_\_\_ Coordinate the design of the commemorative envelope with the supplier. A commemorative envelope designed and produced by the supplier must be an exclusive Postal Service product. The supplier cannot sell the same cachet or product design to others outside of the Postal Service.
- \_\_\_\_\_ Coordinate the pictorial postmark design with the supplier. Refer to Handbook PO-230, *Pictorial Postmarks*, for guidelines on proper format and use of pictorial postmarks. Handbook PO-230 is available through the Material Distribution Center and online on the Postal Service PolicyNet Web site at <http://blue.usps.gov/cpim>.
- \_\_\_\_\_ Ensure that the supplier clears all rights associated with any design or image incorporated on the commemorative envelope and/or in the pictorial postmark design. The postmaster must request a letter from the supplier stating that all third-party rights have been approved. Postmasters must forward a copy of the supplier letter with the final commemorative cachet design to their district manager or designee.
- \_\_\_\_\_ Coordinate the printing, stamp affixing, and canceling of the commemorative envelope with the approved pictorial postmark. Suppliers may not cancel commemorative envelopes. For large cancellation orders, postmasters may contact the manager, Stamp Fulfillment Services, at 816- 545-1100 for assistance.
- \_\_\_\_\_ Coordinate and manage advertising and promotional efforts. Obtain funding and area advertising specialist approval for any advertising.
- \_\_\_\_\_ Coordinate and manage the temporary station (retail unit) associated with the event. (Temporary stations must have a pictorial postmark available for collectors' requests. The pictorial postmark used on the commemorative envelope product must be the same postmark that is used and/or made available at the temporary station.)
- \_\_\_\_\_ Sales of commemorative covers must be tracked in AIC 083, Local Commemorative Envelopes Sales. Non point-of-sale (POS) offices should track sales manually. POS offices should scan barcodes to properly track sales. (See 227.4, Financial Procedures, for POS instructions.)
- \_\_\_\_\_ Every week, complete and maintain Commemorative Envelopes (Covers/Cachets) Unit Sales Activity Reports.
- \_\_\_\_\_ Following the sales period, destroy remaining quantities. Destruction must be witnessed, and both parties who verified the destruction must sign off on the quantities.
- \_\_\_\_\_ Maintain a summary of the Commemorative Envelopes (Covers/Cachets) Unit Sales Activity Reports as documentation of the destroyed quantities for a period of 4 years.

**Supplier Responsibilities**

- \_\_\_\_\_ Clear all rights associated with any design or image incorporated on the commemorative envelope cachet and in the pictorial postmark design. The supplier must provide the postmaster with a letter stating that all third-party rights have been approved. **The supplier assumes all risk associated with rights; there must be no risk to the Postal Service.**
- \_\_\_\_\_ Bid the cost associated with the face value of the stamps as well as stamp-affixing costs. Factor in shipping costs associated with transporting the product.
- \_\_\_\_\_ **Do not cancel/postmark** the commemorative envelope.
- \_\_\_\_\_ Ensure that all commemorative envelopes designed and produced by suppliers are exclusive Postal Service products. Suppliers cannot sell the same cachet or product design to others outside of the Postal Service.

Exhibit 227.212

**Cost Benefit Analysis****Example****Description of****Event:** \_\_\_\_\_**Date(s):** \_\_\_\_\_**Location:** \_\_\_\_\_**Expected Attendance:** \_\_\_\_\_**Costs Associated With Product Development:**

Cost of Stamps (face value of postage stamps: \_\_\_\_\_)

Stamp bursting and affixing costs: \_\_\_\_\_

Design Costs (design of the commemorative envelope: \_\_\_\_\_)

Licensing Costs (use of design/images on a cachet: \_\_\_\_\_)

Envelope Costs (purchase of envelope: \_\_\_\_\_)

Printing Costs (printing the cachet: \_\_\_\_\_)

Cancellation Costs (work hours, postmark device, ink, or other supplies: \_\_\_\_\_)

Packaging Costs (vendor's cost to package for shipping: \_\_\_\_\_)

Shipping Costs (shipping for cancellation and final destination: \_\_\_\_\_)

Distribution Costs (distributing product to the retail counter: \_\_\_\_\_)

Mail Order Costs (work hours, office space, supplies, etc.: \_\_\_\_\_)

Special Event Costs (setup and staffing of temporary retail unit: \_\_\_\_\_)

Accounting Costs (tracking the product during development and sales: \_\_\_\_\_)

Promotional Costs (advertising and/or promotion: \_\_\_\_\_)

Destruction Costs (product spoilage and excess product: \_\_\_\_\_)

Other Costs (specify): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total Costs: \_\_\_\_\_

**Net Revenue Projection:**

Revenue Potential (gross revenue based on expected unit sales): \_\_\_\_\_

Less Total Costs (minus) — \_\_\_\_\_

Net Revenue Projection (gross revenue minus costs): \_\_\_\_\_

**Breakeven Sales Point**

(Total number of individual units needed to be sold to cover all costs associated with event and product development)

Total Costs \$ \_\_\_\_\_ ÷ Unit Sales Price \$ \_\_\_\_\_ = Number of Units \_\_\_\_\_

Example: \$14,300 ÷ \$5.95 = 2,403 units need to be sold to break even on costs

**227.213 Administrative Responsibilities**

If the district manager approves the request to produce a commemorative envelope, postmasters are responsible for ensuring that the following steps are completed:

- a. Step 1: Complete an eBuy and obtain all necessary funding approval.
- b. Step 2: Submit all purchases of \$10,000 or greater to Supply Management for handling. Allow time for solicitation and award of the contract. In addition, if the purchase is valued at more than \$10,000 and a specific supplier will be used due to existing licensing agreements, a noncompetitive justification is required.
- c. Step 3: Purchase stamps for the commemorative envelopes (at face value) using an eBuy request, or have the supplier include the stamp's (face value) cost in its product production cost.
- d. Step 4: Coordinate the design of the commemorative envelope with the supplier.
- e. Step 5: Coordinate the pictorial postmark design with the supplier. Refer to the Handbook PO-230, *Pictorial Postmarks*, for guidelines on proper format and use of pictorial postmarks. The handbook is available through the Material Distribution Center and online on the Postal Service PolicyNet Web site at <http://blue.usps.gov/cpim>.
- f. Step 6: Ensure that the supplier clears all rights associated with any design or image incorporated on the commemorative envelope and/or in the pictorial postmark design. The postmaster must request a letter from the supplier stating that all third-party rights have been approved. Postmasters must forward a copy of the supplier letter with the final commemorative cachet design to their district manager or designee.
- g. Step 7: Coordinate the printing, the stamp affixing, and the canceling of the commemorative envelope with the approved pictorial postmark. Suppliers may not cancel commemorative envelopes. Postmasters should arrange for the canceling of commemorative envelopes through local Postal Service staff. For large cancellation orders, postmasters should contact the manager, Stamp Fulfillment Services, at 816-545-1100. Stamp Fulfillment Services may be able to cancel the commemorative envelopes depending on their current workload.
- h. Step 8: Track all sales of commemorative covers in AIC 083, Local Commemorative Envelopes Sales. Integrated retail terminal (IRT) and manual offices should track sales manually. POS offices should scan barcodes to properly track sales (see [227.4](#), Financial Procedures, for POS instructions.)
- i. Step 9: Coordinate and manage the temporary station (retail unit) associated with the specific event. Temporary stations must have the pictorial postmark available for collectors' requests. The pictorial postmark used on the commemorative envelope product must be the same postmark that is used and/or made available at the temporary station.
- j. Step 10: Do not sell the envelope for the event sponsor if an sponsor creates a commemorative envelope for fund-raising purposes.

- k. Step 11: Fund all costs associated with any advertising and promotion. Additionally, postmasters and/or district managers are responsible for obtaining approval from the area advertising specialist for any advertisements that are created.
- l. Step 12: Include insert cards as an advertising/promotional piece with the commemorative envelope product, if desired. The supplier is responsible for the clearance of rights issues. The postmaster/district manager or a designee must forward the advertising/promotional piece to his or her area advertising specialist for approval.
- m. Step 13: Make sure the commemorative envelope that is designed and produced by the supplier is an exclusive Postal Service product. The supplier cannot sell the same product or product design to others outside of the Postal Service.

#### 227.22 **Supplier Responsibilities**

The supplier's responsibilities are as follows:

- a. Clear all rights associated with any design or image incorporated on the commemorative envelope cachet and in the pictorial postmark design. The supplier must provide the postmaster with a letter stating that all third-party rights have been approved. The supplier assumes all risk associated with rights; there must be no risk to the Postal Service.
- b. Bid the cost associated with the face value of the stamps as well as stamp-affixing costs. Shipping costs associated with transporting the product should also be factored in.
- c. Do not cancel/postmark the commemorative envelope.
- d. Ensure that all commemorative envelopes designed and produced by suppliers are exclusive Postal Service products. Suppliers cannot sell the same cachet or product design to others outside of the Postal Service.

**Note:** See [Exhibit 227.22](#) for a sample Commemorative Envelopes Supplier Agreement.

Exhibit 227.22

**Sample Commemorative Envelope Supplier Agreement**

The supplier agrees to the following when developing and selling commemorative envelopes to the United States Postal Service:

- Obtain any necessary rights to use any images, designs, names, signatures, and any other intellectual property rights associated with any design or image incorporated on the commemorative envelope cachet, in the pictorial postmark design, and in any other work created under this agreement.
- Indemnify the Postal Service, its officers, agents, and employees acting for the Postal Service against any and all loss, cost, damage, liability, and expenses arising out of or from any claim whatsoever (1) for violation of proprietary rights, copyrights, trademarks, and any other intellectual property rights or rights of privacy or publicity arising out of the creation, delivery, or use of any commemorative envelopes, pictorial postmark designs, or any other works furnished under this agreement, or (2) based upon any libelous or other unlawful matter contained in such envelopes or works.
- Provide the postmaster with a letter stating that all third-party rights have been approved.
- Assume all risk associated with rights. There must be no risk to the Postal Service.
- Do not cancel/postmark the commemorative envelopes for Post Offices.
- Ensure that all commemorative envelopes designed and produced by suppliers are exclusive Postal Service products.
- Do not sell the same cachet or product design to others outside of the Postal Service.
- Bid the cost associated with the face value of the stamps as well as stamp-affixing costs. Shipping costs associated with transporting the product should also be factored in.

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Signature of Supplier Representative

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Print Full Name (Supplier Representative)

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Company Name

---

Address

---

Address (continued)

---

Telephone Number

**227.23 District Responsibilities**

The district's responsibilities are as follows:

- a. Approve or deny postmaster requests based on the justification provided.
- b. Maintain a finalized copy of the commemorative envelope design, a copy of the supplier letter stating that all third-party rights have been approved, and a copy of the pictorial postmark. These files should be maintained for a period of 4 years from the date of the event.

**Note:** Refer to Handbook PO-230 for pictorial postmark guidelines and a copy of the pictorial postmark announcement report. Handbook PO-230 is available through the Material Distribution Center and online via the Postal Service PolicyNet Web site at <http://blue.usps.gov/cpim>.

**227.24 Headquarters (Stamp Services) Responsibilities**

Stamp Services' responsibilities are as follows:

- a. Review pictorial postmark designs and inform postmasters of any concerns associated with the image/design.
- b. Place pictorial postmark information in the *Postal Bulletin*.

**227.3 Legal Issues and Concerns****227.31 Use of Third-Party Images and Artwork on Philatelic Item**

In many cases, a stamp image contains elements that are co-owned by the U.S. Postal Service and by one or more other entities. The same third-party ownership may also exist in artwork reproduced on philatelic items that includes commemorative and/or first-day-of-issue covers/cachets. An example of a stamp series that contains images owned by other entities is *The Art of Disney* stamp series. Suppliers wishing to reproduce the actual stamp art or other Disney artwork on commemorative covers and/or philatelic products must obtain permission from Disney.

**227.32 Refuse Purchase Orders Requiring the Postal Service to Obtain Rights**

Postmasters cannot accept Purchase Orders that require them to obtain the rights in images, designs, and other intellectual property that are to appear on commemorative covers and other philatelic products. In some instances, suppliers selling philatelic products and commemorative covers to the U.S. Postal Service have not obtained permission from third-party owners for the use of the artwork, and have put a section in their purchase order and/or invoice requiring that the U.S. Postal Service obtain the rights to those drawings, pictures, text, or other elements displayed on the product. Postmasters must read all purchase orders and/or invoices carefully! It is critical that Postal Service staff ascertain whether invoices for commemorative and first-day-of-issue covers from suppliers contain such language. If an invoice for the purchase of commemorative or first-day-of-issue covers/cachets and similar items requires the Postal Service to obtain rights relating to the artwork displayed on them, the postmaster must refuse to sign/accept the purchase order and/or invoice and should decline the purchase.



**227.4 Financial Procedures****227.41 Postmaster's Accounting Responsibilities**

The postmaster's responsibilities are as follows:

- a. Coordinate the approval process with the district office.
- b. Coordinate all commemorative envelope and pictorial postmark initiatives.
- c. Verify that the total number of saleable and unusable (spoiled) items equals the number of stamps purchased. Both saleable and unusable items must be tracked on a Commemorative Envelopes (Covers/Cachets) Unit Sales Activity Report and be included in the final destruction.
- d. Provide a Unit Sales Activity Report to each participating retail sales unit. The report lists the quantity, sales price, and total value of commemorative envelopes being shipped to the participating Post Office. The total of all Unit Sales Activity Reports must equal the number of stamps purchased. See [Exhibit 227.41](#) for a sample Unit Sales Activity Report.
- e. Maintain final Unit Sales Activity Reports and destruction records to determine the overall success of each product for a period of 4 years.
- f. Assist unit managers in determining the final disposition for excess commemorative envelopes.
- g. Process the purchase of postage stamps for affixing on commemorative envelopes through a retail associate. Retail associates will offset the stamp sale with an entry to AIC 524, Local Commemorative Envelopes Refunds/Expense. A copy of the approved eBuy is the support documentation for the entry into AIC 524.
- h. Update the Unit Sales Activity Report for his or her unit on a weekly basis and resolve any differences.
- i. Complete a consolidated Unit Sales Activity Report on a monthly basis after the beginning of the commemorative envelope promotion. The participating units will inventory the remaining quantity of envelopes and enter the value of this amount on the Unit Sales Activity Report as ending value. When the ending value is subtracted from the beginning value, the sales amount must match the AIC 083 total for the same time period. The unit must resolve any difference. A copy of the consolidated report must be sent to the district manager or designee.
- j. Ensure that the district manager or a designee decides after 90 days about the disposition of the remaining envelopes based on the remaining quantity. The following are three acceptable dispositions:
  - (1) Continue availability for an additional 90 days at the unit. Verification must be performed weekly, and a Unit Sales Activity Report must be completed to ensure AIC 083 sales equal the value of envelope inventory reductions. The weekly record must be maintained at the unit for support documentation to the final destruction records.
  - (2) Immediately destroy remaining quantities.

- (3) Transfer the existing quantity of envelopes to a philatelic unit within the district. The philatelic unit may continue sales of the envelope. The philatelic unit must maintain a sales record to be included with the final destruction records.

**Note:** A summary of the Unit Sales Activity Reports is the support documentation for the destruction quantities. Destruction of commemorative envelopes must be witnessed, with both parties verifying and signing off on the quantity destroyed, and at least one person must be an Executive and Administrative Schedule (EAS) employee.

Unit Sales Activity Reports and all other related invoices and/or retail unit forms should be retained for a period of 4 years, filed together with the unit's PS Form 1412, *Daily Financial Report*.

Exhibit 227.41

**Sample Unit Sales Activity Report**

Commemorative Envelopes (Covers/Cachets)								
Unit Name:					Unit Finance Number:			
Unit Address:					Date			
Item #	Description:							
Month	Items Received	Item Price	Total Received (Items Rcvd x Price)	AIC 083 Sales (Weekly Unit 1412)	Units Sold (Sales / Price)	Returned	Destroyed	ON-HAND
Week # 1								
Week # 2								
Week # 3								
Week # 4								
Week # 5								
							Quantity On Hand	
Month	Items Received	Item Price	Total Received (Items Rcvd x Price)	AIC 083 Sales (Weekly Unit 1412)	Units Sold (Sales / Price)	Returned	Destroyed	ON-HAND
Week # 1								
Week # 2								
Week # 3								
Week # 4								
Week # 5								
							Quantity On Hand	
Month	Items Received	Item Price	Total Received (Items Rcvd x Price)	AIC 083 Sales (Weekly Unit 1412)	Units Sold (Sales / Price)	Returned	Destroyed	ON-HAND
Week # 1								
Week # 2								
Week # 3								
Week # 4								
Week # 5								
							Quantity On Hand	
Signature				Date		Signature (Witness)		Date

## 227.42 **Post Office Accounting Responsibility**

All nonworkhour expenses related to commemorative envelopes authorized by the district manager or designee through an eBuy should be charged to the unit's finance number using General Ledger Account 44041.524 as a local purchase.

Locally paid items associated with commemorative envelopes should be charged to AIC 524, and supporting documentation must be maintained.

## 227.5 **POS Instructions for Local Commemorative Envelopes**

### 227.51 **Renaming AIC 083**

The following steps should be taken for renaming AIC 083, using item numbers 9445 through 9475 and setting the price at the unit level in the back office:

- a. Step 1: Log in to the POS system with the role of stock custodian or supervisor.  
**Note:** Both of these roles allow the user to edit non-accountable items, but only the stock custodian can receive the items into the unit.
- b. Step 2: Select *<Non-Retail Roles>*.
- c. Step 3: Select *<Back Office>*.
- d. Step 4: Select *<Inventory Options>*.
- e. Step 5: Select *<Edit Item Parameters>*.
- f. Step 6: Enter or scan the desired item number (9445 through 9475).
- g. Step 7: Select *<Description and Status>*.
- h. Step 8: Key in the new item description and then press *[Enter]*.
- i. Step 9: Toggle "Yes/No" for returns allowed and for exchange allowed.
- j. Step 10: Select *<Accept and Go To Pricing and Tender>*.
- k. Step 11: Key in the new selling price and then press *[Enter]*.
- l. Step 12: Key in the new regular price and then press *[Enter]*.
- m. Step 13: Select *<Accept and Return to Options>*.
- n. Step 14: Select *<Return to Inventory Options>*.

### 227.52 **Receipt of Item Into the Unit**

After the steps described in [227.51](#) are completed, the stock custodian can receive the items into the unit with the description and value they entered in the *<Edit Item Parameters>* workflow. It is important to edit the item number prior to receiving it into the unit. Otherwise, the retail unit will be receiving the designated product as "Local Product" for \$0.00.

Use the *<Receive Stock>* workflow as usual, and the items will be entered into the retail product inventory category.

### 227.53 **Retail Product Inventory Report**

When viewing the Retail Product Inventory Report, the item is still listed as "local product" and not the name the user gave the item before bringing it into the unit; but, the item number and the value are correct. The report is returning the description directly from the proditem file. When the retail

associate tries to sell the item, either by scanning the item or using the <Sell by Item Number> function, the item shows up with the new description and price. If the item description and value have not been edited as described in [227.52](#), when the retail associate tries to sell the item, either by scanning the item or using the <Sell by Item Number> function, the item still shows up as “local product” with a price of \$0.00. At the time of the sale, retail associates can access <Edit Mode> using the up arrow; and because the item is non-accountable, the retail associates can change the price to the new selling price.

#### 227.54 **Default List of Items that Can Be Edited for Local Use**

The following list is the default list of items that can be edited for local use:

Item	UPC	Description
9445	400000094458	Local Commemorative Envelope
9446	400000094465	Local Commemorative Envelope
9447	400000094472	Local Commemorative Envelope
9448	400000094489	Local Commemorative Envelope
9449	400000094496	Local Commemorative Envelope
9450	400000094502	Local Commemorative Envelope
9451	400000094519	Local Commemorative Envelope
9452	400000094526	Local Commemorative Envelope
9453	400000094533	Local Commemorative Envelope
9454	400000094540	Local Commemorative Envelope
9455	400000094557	Local Commemorative Envelope
9456	400000094564	Local Commemorative Envelope
9457	400000094571	Local Commemorative Envelope
9458	400000094588	Local Commemorative Envelope
9459	400000094595	Local Commemorative Envelope
9460	400000094601	Local Commemorative Envelope
9461	400000094618	Local Commemorative Envelope
9462	400000094625	Local Commemorative Envelope
9463	400000094632	Local Commemorative Envelope
9464	400000094649	Local Commemorative Envelope
9465	400000094656	Local Commemorative Envelope
9466	400000094663	Local Commemorative Envelope
9467	400000094670	Local Commemorative Envelope
9468	400000094687	Local Commemorative Envelope
9469	400000094694	Local Commemorative Envelope
9470	400000094700	Local Commemorative Envelope
9471	400000094717	Local Commemorative Envelope
9472	400000094724	Local Commemorative Envelope
9473	400000094731	Local Commemorative Envelope
9474	400000094748	Local Commemorative Envelope
9475	400000094755	Local Commemorative Envelope

## 23 Philatelic Postmarks

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### 231 General

#### 231.1 Definition

A philatelic postmark is an official postal postmark that contains the Post Office name, city, state, ZIP Code, and date (month, day, and year) of the canceling Post Office that accepted custody of the mailpiece(s), except as provided in sections [231.61](#) and [231.7](#). Other postal markings are made by validators, obliterators, or special-purpose cancellers. Postmarking for philatelic purposes is provided at the request of collectors or philatelic cover servicers for postmarking outside ordinary mail processing. This service requires special procedures and arrangements so that other Postal Service operations and services are not disrupted. This service may entail hand-stamping requests, either on a hand-back or mail-back basis, and the holding of mail for postmarking.

#### 231.2 Policy

##### 231.21 Publicity

The Postal Service makes philatelic postmarking services widely known to customers and collectors by publicizing them in the *Postal Bulletin*.

##### 231.22 Backdating and Predating

It is Postal Service policy to prohibit backdating of mail except:

- a. When Postal Service operating requirements and public demand necessitate that postmarking operations commence before or continue after the date contained in the postmark.
- b. When replacements are made for damaged, defective, or missing postmarks.
- c. When all requirements for postmarking are met by customers, and postmarks are not applied because of errors of Postal Service personnel.
- d. As noted in references to first day of issue, first day of sale, and pictorial postmarks provided in parts [232](#), [233](#), and [234](#).

##### 231.23 Retail Associate Availability and Training

A sufficient number of Postal Service employees should be available to provide speedy service. To provide hand-stamped postmarks of philatelic quality, Postal Service employees should be trained in advance. Refer to section [231.3](#) for philatelic postmarking procedures.

#### 231.3 Cooperation With Collectors

##### 231.31 Postmarks

Employees should strive to furnish clear and legible postmarks to stamp collectors by ensuring that postmarking machines and hand-stamp devices are properly inked. Postal Service employees must give special attention to mail bearing an endorsement that is of philatelic value or to requests for light

postmarks, and they should avoid canceling stamps by pen or illegible smudging. However, stamps must be postmarked sufficiently to protect Postal Service revenue.

231.32 **Special Attention**

The Postal Service cannot provide special attention to a philatelic cover if it has been routinely entered into the mailstream by the sender. To avoid being postmarked in the mailstream, items should be trayed or bagged separately and flagged “nonmachineable” before sending to mail processing.

231.33 **Postmarking Devices**

Postmarking devices may be used only under the supervision of authorized Postal Service personnel.

231.34 **Hand-Stamped Postmarks**

All hand-stamped postmarks are made with black ink unless authorized by Stamp Services. For more information, refer to Handbook PO-230, *Pictorial Postmarks*.

231.35 **Philatelic Covers**

Employees should exercise care in handling all philatelic covers to ensure that they are not damaged in mail handling. These covers are generally identifiable by a design (cachet) on the left side of the envelope. To avoid being postmarked in the mailstream, items should be trayed or bagged separately and flagged “nonmachineable” before sending to mail processing.

231.36 **Defacing Philatelic Covers**

Postal Service employees should ensure that philatelic covers are not over-postmarked; back-stamped, marked “received this date,” or otherwise defaced on front or back; used as a top piece in a bundle for destination-package labeling purposes; or bent, folded, mutilated, or damaged by rubber bands.

231.4 **Hand-Back and Mail-Back Service**

Postmarks should be used to provide the following philatelic services whenever they are available:

a. Hand-back Service

- (1) When a customer personally presents an addressed or unaddressed envelope, postal card, or other item described in section [231.63](#) to a Postal Service employee for postmarking, the Postal Service employee must examine the item to ensure that it is clearly intended for philatelic purposes. Bill payments, tax returns, applications, and/or other date-sensitive mail cannot be handed back. Only after careful examination should a philatelic item be postmarked and handed back to the customer/collector.
- (2) The envelope, card, or other item does not enter the mailstream. All such materials requesting postmarking must bear uncanceled postage at the applicable First-Class Mail® rate. If the customer wants to mail the postmarked item, it must be trayed or bagged

separately, and flagged “nonmachinable” to avoid being over-postmarked in processing.

- (3) This service may be provided by special die hub or flyer machines only when that particular postmarking machine is readily accessible to the Postal Service employee and only when providing such service does not interfere with other sales or mail processing operations and/or does not inconvenience other customers.

b. Mail-back Service

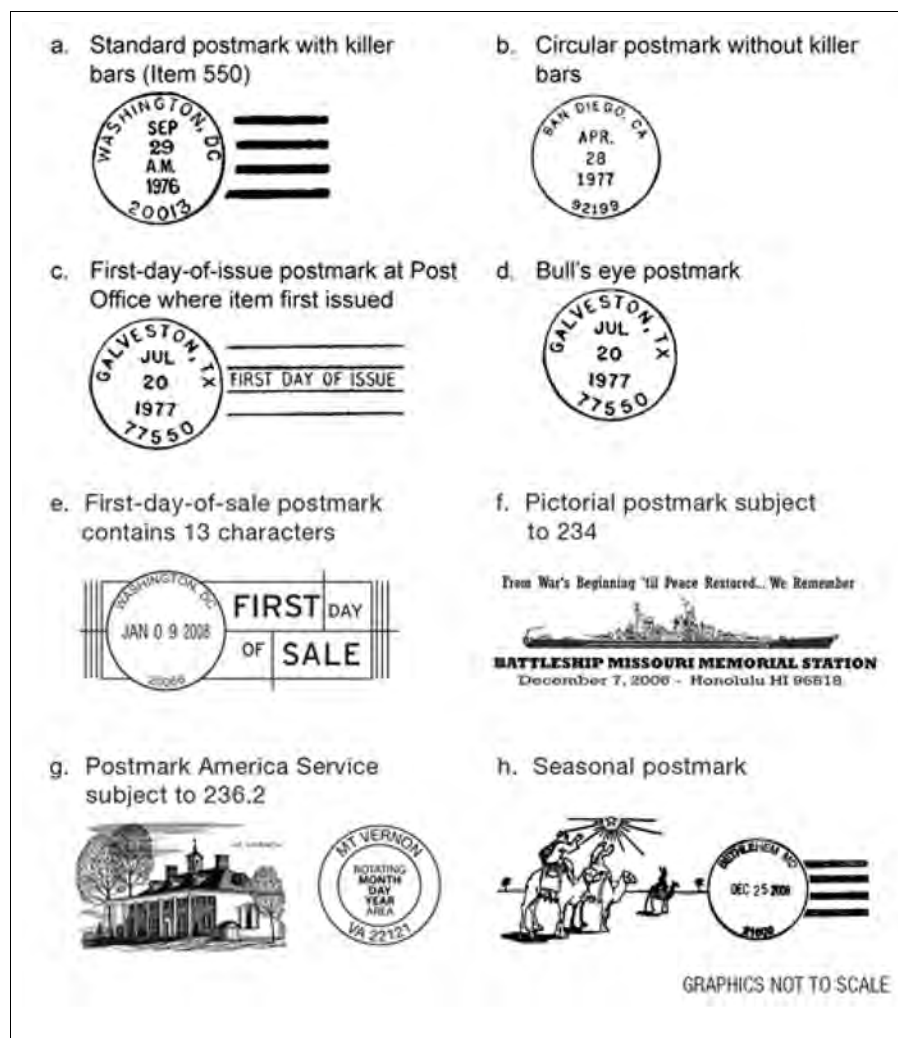
Mail-back service refers to the pictorial postmarking service for stamp dealers and collectors and it allows envelopes, cards, or other items submitted for servicing to be returned in bulk through the mail. To avoid over-postmarking or getting marred in the mail, stamp dealers and collectors must provide either a self-addressed stamped envelope or box for returning the serviced items. For customers submitting fewer than 50 covers who have not enclosed a self-addressed stamped envelope, the postmaster may choose to furnish a protective cover using a G-10 label. See subchapter [25](#) for more information pertaining to Philatelic Cover Servicers and Cachet Makers.

231.5 **Permissible Postmarking Devices and Hand-Stamped Postmarking for Collectors**

The postmark devices shown in [Exhibit 231.5](#) may be used to provide hand-stamped postmarks for collectors.



## Exhibit 231.5

**Hand-Stamped Postmarks**231.6 **Philatelic Postmark Policy**231.61 **Date and Place of Postmarking**

Post Offices may provide postmarking for philatelic purposes before the actual date of the postmark and may continue after that date when demand, processing capability, or other requirements of the Postal Service dictate. However, under no circumstances may any postmarked materials be released before the date of the postmark. The postmaster or designee may determine that local processing capability requires philatelic postmarking services be performed at an office other than the Post Office of the official postmark. In this case, all materials to be postmarked must be received at or deposited in the Post Office where the postmark is being used or at the office designated by the postmaster or designee.

231.62 **Preparation Requirements**

Postcards and envelopes submitted through the mail must bear postage at the applicable First-Class Mail first-ounce rate and have complete

addresses, except as provided in section [231.4](#). Materials submitted for hand-back service need not be addressed.

#### 231.63 **Special Materials on Which Postmarks May Be Requested**

Photographs, postcards, or other materials having a glossy-coated or hard-calendered surface, or any material that does not readily accept ink, are submitted for pictorial postmarks at the customer's risk. The Postal Service is not responsible for smudged postmarks or offsetting where the impression appears on the preceding item. The following materials may be canceled as indicated:

- a. *Plain Cards, Slips of Paper, and Blank Envelopes.* Postal Service employees may not place postmarks for customers on plain slips of paper, plain cards, or blank envelopes without unused postage equaling or exceeding the First-Class Mail first-ounce rate.
- b. *Picture Postcards (Maximum Cards).* Picture postcards with the stamp placed on the face of the card rather than on the address side are known as maximum cards. Minimum First-Class Mail postage must be placed on the address side. Postmasters may cancel these cards and hand them back to the person presenting them. For mail-back service, refer to [231.4b](#).
- c. *Posters, Portfolios, and Other Memorabilia.* These items with the stamps placed thereon may be canceled when presented in person for hand-back service. Submittal and return through the mail is not permitted, except as provided in [231.4b](#).
- d. *Previously Canceled Stamps and Multiple Pictorial Postmarks.* Items bearing previously canceled stamps and postmarks are acceptable for additional postmarks when uncanceled postage equaling or exceeding the First-Class Mail first-ounce rate is affixed. Any covers submitted for servicing and return through the mailstream will not be entered into the mailstream until the date appearing on the postmark.
- e. *Currency.* Currency bearing unused postage stamps of First-Class value or items bearing currency with stamps affixed or adjacent thereto may be canceled when presented in person for hand-back service. Submittal and return through the mail is not permitted. The Postal Service does not accept responsibility for currency in its possession in conjunction with philatelic services.
- f. *Backs of Envelopes.* Post Offices may cancel unused stamps when they are affixed to the reverse side of envelopes bearing already canceled stamps. This service is available only for envelopes presented for hand-back service. They may not be returned through the mail even when outer envelopes are provided. Such a pictorial postmark denotes only that the item was presented to the Post Office for postmarking on that date; it does not denote that the envelope was carried by the Postal Service.
- g. *Foreign Postage Stamps.* Unused foreign postage stamps may be postmarked with a U.S. Postal Service postmark only when unused First-Class Mail first-ounce U.S. postage is postmarked with the same stroke.

**231.7 Holding the Mail**

Postmasters may hold collectors' philatelic items for postmarking on a later or specified date. Postmasters should not hold mail for an event where the date of occurrence is not certain; for an event that the date is subject to change; or for postmarking on a day that the Post Office is closed.

**231.8 Machine Postmarks**

Post Offices may machine-cancel (using a flyer machine), philatelic items with a regular postmark when the envelopes are unaddressed or when the customer requests hand-back service, as provided in section [231.4](#). Collectors requesting postmarking of bulk items must provide either a self-addressed stamped envelope or box for returning the serviced items. For customers submitting fewer than 50 covers who have not provided a self-addressed stamped envelope, the postmaster may choose to furnish a protective cover using a G-10 label. See subchapter [25](#) for more information pertaining to Philatelic Cover Servicers and Cachet Makers.

**231.9 Hand-Stamped Postmarks**

Circular hand-stamped postmarks with or without killer bars may be provided upon request at Post Offices and/or station or branch offices. These postmarks are available each day that the office is open for business. Postmarking requests must be at the Post Office offering the service on the date of the postmark to qualify for this service.

**232 First Day of Issue****232.1 First Day of Issue Sales Policy**

For each new stamp or stationery item being issued, a designated Post Office is assigned as the official first day of issue city. For purposes of this section, the word "issue" means postage stamp, stamp booklet, booklet pane, postal card, postal stationery, or stamped envelope.

**232.2 Notification**

Individual stamp issues are announced through news releases distributed to the press, to the philatelic media, and by print to radio and television. Stamp and postal stationery announcements are periodically updated in the *Postal Bulletin* and on the Web at [www.usps.com](http://www.usps.com).

**232.3 First Day of Issue Postmarks**

First day of issue postmarks are provided by designated Post Offices for each new stamp or stationery item being issued. The postmark reflects the official issuance date and location. First day of issue postmarks may be either metal die, rubber composition, or digitally produced in color. In each postmark, the words "First Day of Issue" appear in the design. Requests for first day of issue postmarks must be postmarked no later than 60 days from the issuance date to qualify for servicing. When the conventional first day of issue postmark cannot cancel all the unused stamps on an item presented for postmarking, a Bull's-eye (1-inch) postmark is used.

#### 232.4 **Ordering Procedures**

All covers must bear addresses to the right side of the envelope and at least 5/8 inch up from the bottom of the envelope. Requests must be postmarked no later than the date specified in the media announcement (see section [232.2](#)) to qualify for postmark service. As a free service, this is limited to 50 postmarks. Postmasters should charge 5 cents per postmark for more than 50 items. Customers who want first day of issue postmarks of new stamps have two ordering options:

- a. Collectors may buy stamps from their local Post Office, affix the stamps to their own envelopes, and mail them under separate cover to the postmaster at the city of issuance for postmarking. Envelopes submitted by collectors must be of ordinary letter size and must be properly addressed. Collectors should place a filler (of postal card thickness) in each envelope and turn in or seal the flap of the envelope.
- b. Collectors may order first day covers without cachets by mail, telephone, or through the Internet, from Stamp Fulfillment Services. Each first day of issue cover will have an individual item number and is offered through the *USA Philatelic* catalog produced by Stamp Services. Item numbers and ordering instructions are also provided in news releases announcing the new stamps. The price of the Postal Service's first day covers will vary depending upon the denomination and number of stamps affixed. Remittance for mail orders can be made by money order, cashier's check, certified check, or personal check made payable to the U.S. Postal Service or by credit card as indicated in the *USA Philatelic* catalog. Cash must not be sent. Neither postage stamps nor foreign coins and currency are accepted. Any orders containing such remittance will be returned unserved. First day of issue covers remain on sale for at least 1 year after a stamp is issued.

#### 232.5 **Bulk Orders**

The Post Office that services first day covers will accept only stamp-affixed envelopes. For bulk affixing and postmarking requests, customers should contact Stamp Fulfillment Services.

#### 232.6 **Hand-Stamped Postmarks**

Hand-stamped postmarks are applied on covers at the location of the first day ceremony, at the designated first day of issue Post Office, and on covers that cannot be fully postmarked by Postal Service postmarking machines.

#### 232.7 **Hand-Back Service**

Philatelic materials to be canceled must be presented to the designated first day Post Office or ceremony location.

#### 232.8 **Unacceptable Covers**

The issuing Post Office must not provide postmarking service on covers submitted through the mail that are unaddressed, bear stamps issued after the requested postmark date, or bear only previously postmarked stamps.

### 232.9 **Postmarking Deadlines and Unofficial First Day Covers**

The deadline for submitting covers for first day of issue postmarks is 60 days from the first day of issuance date. Any exceptions must be authorized by Stamp Services.

Stamps acquired at the first day Post Office may be canceled at any Post Office. Envelopes containing new stamps canceled on the first day of sale at a Post Office other than the issuing office are known as unofficial first day covers or first day of sale covers. See part [233](#) for further information on first day of sale postmarks.

## 233 **First Day of Sale Postmark**

### 233.1 **First Day of Sale Postmark Policy**

This official postmark offers customers a collectible postmark to commemorate the first day of sale for all new stamps and stationery items. Participation by postmasters/Post Offices in this postmarking service is voluntary; however, postmasters/Post Offices are encouraged to participate. The first day of sale postmark provides postmasters the opportunity to promote the sales of new stamps and stationery products in their communities and it supports the hobby of stamp collecting.

### 233.2 **Notification**

All new stamps and stationery items are announced in the *Postal Bulletin* and through news releases distributed to the press and to the philatelic media. No national listing of Post Offices participating in first day of sale postmarking will be maintained.

Customers/collectors will have to contact individual postmasters/Post Offices to find out if they are participating in the postmarking service. Postmasters wishing to promote this program locally will need to contact their local Public Affairs and Communications office for assistance.

### 233.3 **First Day of Sale Postmarks**

This postmark is provided by Post Offices nationwide on the first day that new stamps and stationery items are placed on sale. The postmarking device reflects the official first day of sale date and the city, state, and ZIP Code of the postmarking office.

The first day of sale postmark comes in two formats:

- a. Size A: Self-inking postmark for Post Offices with 13 or fewer characters in their Post Office name (characters include the comma and spacing between the Post Office name and its state abbreviation).
- b. Size B: Rubber composition hand changeable date stamp for Post Offices having over 13 characters in their Post Office name (characters include the comma and spacing between the Post Office name and its state abbreviation).

Customers may request a first day of sale postmark in person or by mail to the postmaster. Requests for first day of sale postmarks must be presented

to the Post Office or postmarked no later than 90 days from the first day of sale date to qualify for service.

#### 233.4 **Ordering Procedures**

Customers requesting first day of sale postmarks have two ordering options: hand-back service and mail-back service.

##### 233.41 **Hand-Back Service**

When a customer personally presents a stamped addressed or unaddressed envelope, postcard, or other item described in section [231.63](#), to a Postal Service employee for postmarking, the item can be postmarked and handed back to the customer.

All such materials must bear uncanceled postage, which includes the new first day of sale stamp, at the applicable First-Class Mail rate. The postage to be postmarked may not include any newly released stamps that may have been issued after the requested official first day of sale postmark date.

This postmark is provided only for philatelic purposes and should not be used to postmark bill payments, tax returns, applications, and/or other date-sensitive mail. Only after careful examination should a philatelic item be postmarked and handed back to the customer/collector.

In most cases, the philatelic envelope, card, or other item does not enter the mail. However, on occasion, a customer may request that their properly addressed and postmarked item be placed into the mailstream. In such cases, this can only be done on the official first day of sale date. Retail associates should ensure that items with first day of sale postmarks are trayed separately and flagged “nonmachinable” when sending to mail processing.

Hand-back service may be provided only when such service does not interfere with other retail sales, mail processing operations, and/or does not inconvenience other customers. Postmasters, at their discretion, may offer hand-back service or make arrangements with a customer for drop-off and pick-up service for items.

##### 233.42 **Mail-Back Service**

Customers may buy first day of sale stamps at their local Post Office; affix the stamps to their own envelopes, postcards, or other items described in section [231.63](#); and mail the items under separate cover to a participating postmaster/Post Office for first day of sale postmarking. All requests must include a self-addressed postage-paid envelope to return the first day of sale postmarked items.

All such materials must bear uncanceled postage, which includes the new first day of sale stamp, at the applicable First-Class Mail rate. The item to be postmarked may not include any newly released stamps that may have been issued after the requested official first day of sale postmark date.

This postmark is provided only for philatelic purposes and should not be used to postmark bill payments, tax returns, applications, and/or other date-sensitive mail.

The items with first day of sale postmarks applied must be returned under protective cover. For customers submitting less than 50 covers who have not

enclosed a self-addressed stamped envelope, the postmaster may choose to furnish a protective cover using a G-10 label. See subchapter [25](#) for more information pertaining to Philatelic Cover Servicers and Cachet Makers.

Mail-back service should not interfere with other retail sales or mail processing operations and should not inconvenience other customers.

#### 233.5 **Servicing Fees**

As a free service, postmarking is limited to 50 items. For those postmarking requests of more than 50 items, postmasters should charge 5 cents for each postmark.

### 234 **Pictorial Postmarks**

Pictorial postmarks may be offered by the Postal Service to commemorate local events celebrated in communities throughout the nation. These postmarks contain the name of a temporary philatelic station, city, state, ZIP Code, and the month, day, and year of the postmark. These postmarks may feature wording and/or graphics relating to fairs, conventions, or other various types of local celebrations. See Handbook PO 230, *Pictorial Postmarks*, for more information.

#### 234.1 **Sponsors**

Pictorial postmarks are requested by sponsors or organizers of local events and are authorized to be used only at temporary retail stations and at other philatelic outlets.

#### 234.2 **Postmarking Methods**

Devices used for pictorial celebrations are generally hand stamps, except when volume requires the use of machine postmarking. There is no charge to the sponsor for the production of the hand stamp or for the Postal Service's staffing of the temporary station. For assistance in bulk machine postmarking, postmasters should contact the manager, Stamp Fulfillment Services.

#### 234.3 **Criteria**

Collectors may obtain pictorial postmarks at a temporary retail station established at an event or at a philatelic outlet, on the actual date of the requested postmark. Additionally, such postmarks may be requested by mail. Mail-in requests must be postmarked no later than 30 days following the requested postmark date to qualify for this service. Any exceptions beyond the 30 days must be approved by Stamp Services.

#### 234.4 **Authorization**

Postmasters may request authority from the district manager or designee to provide postmarking service at temporary retail stations. Only the standard circular postmark will be provided unless the sponsors or organizers request and receive approval for a pictorial postmark. Organizers must apply to the postmaster for use of a pictorial postmark at least 10 weeks before the event. The sponsors or organizers must also provide a design and finished artwork for the requested postmark.

All temporary retail stations and pictorial postmark designs require the approval of the postmaster and the district manager or designee.

Postmasters and district managers and or designees reviewing requests for temporary retail stations and pictorial postmark designs must ensure that all applicable Postal Service requirements are met.

Different postmarks for each day of an event are permitted only for international philatelic exhibitions. Any exceptions must be authorized by Stamp Services.

## 234.5 Requirements

### 234.51 Required Information and Dimensions

All postmarks must carry the name of the temporary station (the name of the exhibition or event, followed by the word “Station” or “Sta.”), month, day, year, and city, state, and ZIP Code of the actual location of the temporary philatelic station. Overall dimensions must not exceed 4 inches horizontally and 2 inches vertically.

### 234.52 Approved Subject Matter

Illustrations, wording, and designs featured on pictorial postmarks must directly reflect the event being commemorated. Postmarks that promote the sale or use of private, nonpostal products or that endorse or involve the ideals, policies, programs, products, campaigns, or candidates of religious, antireligious, commercial, political, fraternal, trade, labor, public interest, or special interest organizations may not be approved.

Postmarks may be approved to recognize events such as meetings, exhibitions, or conventions sponsored by or involving such organizations, provided that their designs do not include words, symbols, or illustrations referring to ideals, policies, programs, products, campaigns, or candidates. If there is doubt about whether a proposed postmark meets these requirements, Stamp Services should be consulted prior to granting approval.

### 234.53 Publicity

The district manager or designee must submit a PS Form 413, *Pictorial Postmark Announcement/Report*, which includes a reproducible copy of the approved pictorial postmark (actual size), to Stamp Services for publication in the *Postal Bulletin*. All reports should include the date(s) that the temporary retail station is to be open, the sponsor's name, name of the temporary retail station, the complete mailing address for customers requesting the pictorial postmark by mail, and a reproducible copy of the pictorial postmark. PS Form 413, along with copies of pictorial postmarks, must be submitted to Stamp Services at least 2 months prior to the postmarking date. Any exceptions to the 2-month notice must be approved by Stamp Services. See Handbook PO-230 for more information.

### 234.54 Equipment

Pictorial and standard postmarks should be applied by rubber hand stamps purchased by the host Post Office or district office.



**234.55 Service Limitations**

Hand stamping as a free service is limited to 50 postmarks for any individual or group. For those postmarking requests of more than 50 items, postmasters should charge 5 cents for each postmark.

**234.56 Use and Disposition of Hand Stamps**

Pictorial postmark hand stamps, like other canceling devices, may be used only under the supervision of authorized Postal Service personnel and must be returned by the postmaster to the district manager or designee 6 months after close of the event allowing Post Offices enough time to handle replacement requests. The district manager or designee must destroy the postmarking device upon receipt.

**234.57 Special Requests to Retain Hand Stamps**

Requests from sponsors to retain pictorial postmark hand stamps for purposes of placement in a museum, historical site, or for any other appropriate use, must be approved by the district manager. Before release to the sponsor, the hand stamp must be defaced in such a way that it can be recognized if used improperly. Copies of the original and defaced postmark designs must be kept on file in the local or district office.

**235 Special Mail Processing Postmarks**

Special postmarks are cancellations in which a slogan or message publicizes an event. These postmarks are applied by machine to live mail by a mail processing plant. Bulk requests for mail-back service cannot be provided, but postmarks can be provided on addressed envelopes or postal cards that are delivered to addressees through mail delivery. Postmarks of philatelic quality are often not possible. All envelopes must be addressed. Any quantity of envelopes may be submitted, but they are not returned in bulk. See chapter [4](#) for more information regarding the criteria and use of these mail processing postmarks.

**236 Other Special Philatelic Postmarks****236.1 Seasonal Postmarks**

Seasonal postmarks are temporary, pictorial rubber hand stamps available during the holiday season and during other special occasions throughout the year. Postmarking service is usually available at retail windows for hand-back, mail-back, or re-mailing back into the mailstream. Postmarks can be a fixed date or rotating dates during the holiday season. Back-dating is prohibited for rotating-date postmarks. Customers wanting a specific date must have their items presented on or before the date of service. Seasonal postmarks can also be used at temporary retail stations during the holiday season.

**236.2 Postmark America Service**

Postmark America service is a permanent, rubber hand stamp with rotating date plugs that is permitted for participating Post Offices to feature a symbolic image representing a town or region. Postmarking service is

available only at windows when it does not interfere with normal retail operations. Postmasters can offer hand-back, will-call, or mail-back service. Postmark America service can be used for mail entering the mailstream or philatelic purposes.

Postmark America service affords tourists, customers, and collectors an opportunity to use and collect postmarks at any time. It also affords postmasters a way to generate revenue without having to staff or wait for events. Postmark America service is date sensitive, and back-dating is prohibited. Customers or collectors wanting a specific date must have their items presented at the Post Office on or before the date of service.

#### 236.21 **Postmark Design**

Postmasters and station and branch managers are responsible for purchasing both the artwork and hand-stamp devices for their local postmark. They should work with local artists/designers to develop a design that fits within the following guidelines:

- a. The rubber composition hand-stamp postmark should feature a graphic design.
- b. The overall size of the device cannot exceed 2" in height by 4" in width.
- c. The postmark should consist of a changeable round-dater with month, day, and year insert plugs, and should include the city, state, and ZIP Code.
- d. Postmarks with proprietary designs need written permission from property owners for the use of the design.

#### 236.22 **Approval Process**

Postmasters desiring to participate in the Postmark America service must submit the finalized postmark art to their district manager/designee for approval. After the district manager's approval, the postmaster/district office forwards the postmark artwork to Stamp Fulfillment Services (SFS) for final approval and sign-off. Submit the proposed artwork to:

POSTMARKING SERVICES  
ATTN: POSTMARK AMERICA SERVICE  
PO BOX 449992  
KANSAS CITY, MO 64144-9998

Fax: 816-545-1206  
e-mail: [PictorialPostmarks@usps.gov](mailto:PictorialPostmarks@usps.gov)

ATTN: POSTMARK AMERICA SERVICE

FOR MORE INFORMATION, CALL 816-545-1349

#### 236.23 **Ordering Rubber Hand Stamps**

Postmasters participating in the Postmark America service can order their off-catalog postmarking device using PS Form 1567, *Requisition for Rubber and Steel Hand Canceling Stamps*, or by calling the Topeka Materials Distribution Center at 800-332-0317 (press option 4, then press option 4 again at the next menu to reach a live operator).

Postmasters may also directly order the off-catalog postmark by contacting the Baumgarten Company of Washington, DC, at 301-317-3933 or 888-852-3852. Postmasters must complete an off-catalog eBay requisition for all

items ordered. Postmasters should allow 30 days for the vendor to provide the postmarking device.

#### 236.24 **Postmark Servicing Support and Procedures**

Postmarking service may be provided when such service does not interfere with other retail sales or mail processing operations and does not inconvenience other customers. Postmasters may, at their discretion, offer collectors hand-back or mail-back service or arrange for a date and time with the collector for drop-off and pick-up service.

Customers must present their items for postmarking on or before the official postmark date. Backdating is prohibited. Prior to submitting materials for postmarking, collectors should contact the Post Office from which they are requesting a postmark to verify that the specific Post Office participates in the Postmark America service. Collectors may request postmarking service in person or by mail on or before the date of the postmark. There is no charge for servicing up to 50 covers. Mail-back service customers must supply a self-addressed envelope with sufficient return postage applied to return the serviced covers. Handling charges cannot apply for Postmark America service when the items presented are for mailing purposes.

Postmasters may apply for postmarking assistance from the manager of Stamp Fulfillment Service if customers are requesting postmarking on large volumes of materials. For information, contact:

MANAGER, STAMP FULFILLMENT SERVICES  
8300 UNDERGROUND DRIVE, PILLAR 210  
KANSAS CITY, MO 64144-9998

Telephone: 816-545-1349

Postmasters desiring to promote the program locally should contact their local Corporate Communications office for assistance.

#### 236.3 **Military Post Offices**

Military Post Offices, including Army Post Offices (APOs) and Fleet Post Offices (FPOs), may hand stamp covers both on a hand-back basis and by mail-order request in conformance with all policies and in accordance with all conditions and procedures stated in this section. The officer in charge at each military Post Office may establish the maximum number of covers individual collectors or dealers may submit. Military Post Offices may also provide pictorial postmarks (see part [234](#)) upon request.

#### 236.4 **Special Requests**

Requests for postmarks at Postal Service facilities that normally do not postmark mail must be made in writing to the appropriate district manager at least 60 days in advance for area manager authorization and to provide for national publicity. These requirements also apply for requests to postmark at offices that are inaccessible to the public or for requests to postmark at any office on dates when mail is not normally postmarked (for example, Sundays and holidays). Cover servicers, as described in subchapter [25](#), must submit their requests for pictorial postmarking to the manager, Stamp Fulfillment Services.

## 24 Autographs

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### 241 General

Postal Service employees may, at their discretion, accept or refuse requests for autographs. Employees should exercise fairness in handling such requests. Nothing of value may be accepted or requested in exchange for autographs.

## 25 Philatelic Cover Servicers and Cachet Makers

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### 251 Authorization

Philatelic cover servicers and cachet makers that regularly submit 50 or more envelopes or other items for identical postmarking may contact SFS and request information on how to become a registered dealer.

### 252 First Day Cover Service

Philatelic cover servicers may purchase mint stamps by mail from the first day of issue Post Office or from SFS on the date of issuance. Postmarks are provided only when stamp-affixed envelopes are submitted.

### 253 Mail-Back Service

#### 253.1 Service Charges

Mail-back postmarking service for philatelic cover servicers and cachet makers is subject to a service charge established by SFS, which must be paid by check, credit card, or money order before the mail is processed.

#### 253.2 Payment Requirements

Mail-back service or return under cover in bulk are available to registered dealers only when return postage and all other applicable fees are paid to the postmaster at the place of postmarking. Requests that do not include such payment are held until the proper amount is received.

#### 253.3 Acceptable Items

Mail-back service is generally permitted on first day of issue, pictorial, or standard philatelic postmarks on the following materials: envelopes, postal cards or maximum cards, postal stationery, posters, portfolios, or other memorabilia. The Postal Service will not accept for first day of issue postmarking covers that bear stamp(s) issued after the requested date of the postmark.

## 254 **Damaged or Missing Covers**

### 254.1 **Requests for Replacements**

Requests for replacement of first day postmarks, pictorial postmarks, and standard philatelic postmarks may be accepted at the appropriate Post Office up to 60 days from the actual postmark date. All claims for nonreceipt of covers submitted for servicing by the Postal Service must be sent to the appropriate Post Office no later than 60 days from the date of postmark or from the date postmarks were last applied. Claims for replacement postmarks filed after that time will not be honored and are returned to the customer with a short explanation on why the request cannot be honored.

### 254.2 **Criteria**

Replacements are made for poor quality postmarks, damage to the envelope, or other similar defects. Replacements are not made, however, in cases where envelopes were marked on the back by letter-sorting machine code numbers as they moved through the mail system.

### 254.3 **Procedures**

The customer must return the unsatisfactory cover or covers to the appropriate Post Office for replacement. Replacement covers must be returned to the customer in a Postal Service postage-paid envelope so that a stale postmark does not appear in the mailstream. Damaged covers must be disposed of in accordance with Handbook F-1, *Post Office Accounting Procedures*, 450.

### 254.4 **Exceptions**

The Postal Service does not replace missing or unsatisfactory die-hub machine postmarks or special die-hub postmarks because these postmarks are made in the course of live mail processing.

### 254.5 **Damaged or Loss of Cachet Covers**

The Postal Service is not responsible for damage or loss of cachet covers or of other items of value.

## 26 Philatelic Products

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### 261 **Special Philatelic Products**

Special philatelic products produced by the Postal Service for first day Postal Service ceremonies are permitted for major postal events only, such as the opening of a new philatelic center, postal store, or a dedicated philatelic window. All such products must be approved at least 3 months before the event by the appropriate area and Headquarters organizations.

## 27 Promotions or Presentations

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### 271 General

To obtain canceled or uncanceled stamps, postal stationery items, or philatelic products for information, official Postal Service business, or Postal Service presentations, district managers or postmasters must submit a funded PS Form 7381, *Requisition for Supplies, Services, or Equipment*, or an eBuy request to the appropriate stock source as defined below. The form must identify the delivery address, contact name and telephone number, item number, quantity, description, amount, and the purpose or justification for the promotion or presentation. The postmaster or district manager must also enter account number 52325, Advertising and Sales Promotion, the finance number, and the account identifier code (AIC) 596, Miscellaneous Advertising Expense, on PS Form 7381 or the eBuy request. Account number 52325 shows as a transaction to line 34, Services, on the requesting office's Financial Performance Report (FPR). The postmaster or district manager has the option of obtaining stock locally or through SFS. Stock requested from SFS must be a minimum of \$1,000 face value. Either request requires PS Form 7381 or the eBuy request.

### 272 Obtaining Stock Locally

To obtain stock locally, the postmaster or district manager authorizes and signs the completed PS Form 7381 or eBuy request. The form is submitted to the retail associate servicing the same finance number shown on the PS Form 7381 or eBuy request. The retail associate fulfills items as requested and retains the PS Form 7381 or eBuy request for submission with PS Form 1412-A, *Daily Financial Report*, as support for AIC 596. The retail associate records the transaction on PS Form 1412-A and enters the amount in AIC 596, with an offsetting entry to AIC 090, Postage Stock Sales, or AIC 092, Philatelic Product Sales. The PS Form 7381 or eBuy request supports the entry to AIC 596. Offices that use standard field accounting procedures should submit the PS Form 7381 or eBuy request to the appropriate district accounting offices. Statement of account offices should retain this form locally. The accounting office verifies the submitted PS Form 7381 or eBuy request for completeness and retains it as support for AIC 596 on the Statement of Account.

### 273 Obtaining Stock Through Stamp Fulfillment Services

Stock that is not available locally may be available through SFS. To obtain stock through SFS, a minimum \$1,000 face value is required. A completed and signed PS Form 7381 or eBuy request for the face value amount of stock requested and appropriate postage and handling fees must be sent to:

MANAGER  
STAMP FULFILLMENT SERVICES  
8300 NE UNDERGROUND DRIVE PILLAR 210  
KANSAS CITY MO 64144-0001

The postmaster makes no entries to the cash book. SFS fulfills and mails the stock to the delivery address on the PS Form 7381 or eBay request. SFS enters the amount shown on the order form to AIC 596, with offsetting entries to AIC 090 or AIC 092, and AIC 114, Postage Due Invoices, for the postage and handling charges. SFS accesses the Journal Voucher Transfer System through the Financial Accounting Control Tracking System (FACTS) and enters the account number 52325 and the finance number indicated on the PS Form 7381 or eBay request. The account number shows as a transaction to line 34, Services, on the postmaster's Postal System Financial Report (PSFR). The postmaster or district manager then sees an adjustment to either the prior period or the current period.

## 28 Copyright of Stamp Designs

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### 281 Policy

The designs of postage stamps, stamped envelopes, stamped stationery, stamped cards, aerogrammes, souvenir cards, and other philatelic items are copyrighted by the U.S. Postal Service in accordance with Title 17 of the United States Code.

### 282 Permission for Use

No written permission is required to reproduce the copyrighted stamp images in hard copy printed matter for the following purposes:

- a. In editorial matter in newspapers, magazines, and journals for news reporting purposes.
- b. In advertising matter, circulars, or price lists for the sale of the postage stamps or philatelic items illustrated.
- c. In advertising matter, circulars, or price lists for the sale of philatelic magazines, journals, books, philatelic catalogs, philatelic albums containing illustrations of philatelic designs of the stamp images for sale of the postage stamps or philatelic items illustrated.
- d. For incidental, background, nonfeatured use in motion picture films. No print or other reproduction from such films, slides, or tapes may be made except for the uses permitted above.
- e. Noncommercial, educational uses limited to classroom instruction.

**Note:** For uses covered above, users must cite the source of the stamp image, the United States Postal Service, and include language such as: "United States Postal Service." All permitted uses covered above must consist of the unaltered, original stamp image as issued by the U.S. Postal Service. Any modification or alteration to the stamp image constitutes an unauthorized use.

For uses not covered above, a license from the Postal Service is required. Further digital or electronic reproduction of stamp images for posting on the Internet or in any other electronic forum is not allowed without a license from the U.S. Postal Service.

## 283 **Reproduction of Designs**

Illustrations permitted by [282](#) may be in color or in black and white and may depict items as uncanceled or canceled. When depicting uncanceled items in color, illustrations must be less than 75 percent or more than 150 percent (in linear dimension) of the size of the design of the philatelic items as issued. Color illustrations of canceled items and black and white illustrations of uncanceled or canceled philatelic items may be any size.

## 284 **Requests for Licenses**

The U.S. Postal Service may grant licenses for the use of illustrations of its copyright designs outside the scope of the above permission. Requests for such licenses should be addressed to:

LICENSING  
US POSTAL SERVICE  
475 L'ENFANT PLAZA SW RM 10-523  
WASHINGTON DC 20260-3100



# 3 Collection Service — National Service Standards

## 31 Applicability and General Requirements

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### 311 **Applicability**

These standards found in Chapter [3](#) apply to all collection boxes. A collection box is a metal container that is dedicated to the collection of deposited mail by customers. Collection boxes come in three separate sizes: standard, large, and jumbo. Some collection boxes are dedicated to the collection of Priority Mail Express, while other boxes are dedicated to the collection of First-Class letter mail and flats. Collection boxes are under the direct control of the Postal Service. For exceptions to the applicability of these requirements, see [313.3](#).

The location types of collection boxes are the following:

- a. *Residential collection boxes*: Boxes located in primarily residential areas. Mail from these boxes is generally collected when mail is delivered. A 25 piece daily average is needed to justify its location.
- b. *Business area collection boxes*: Boxes located in primarily business areas, such as downtown commercial areas, office parks, or industrial parks. Mail from these boxes should be collected when mail is delivered to ensure no overflow but when its average daily collected volume exceeds the 100 piece threshold, it may also be collected at or after 5:00 P.M..

### 312 **Local Postmark**

#### 312.1 **Local Postmark Requirement**

The local postmark must be made available in every community with a Post Office. While no exceptions are made to this policy, customers may need to contact postal officials in advance as provided in [312.2](#).

#### 312.2 **Local Postmark Requests**

Customers may request a local postmark at the retail counter of any Post Office, classified station, or branch. Customers who want significant mail volumes (50 or more pieces) postmarked should contact the postmaster or other manager in advance to ensure that adequate resources are available to provide a local postmark.

## 313 Collection Requirements

### 313.1 Collection Schedules and Locations

#### 313.11 General

The Postal Service is generally charged with providing prompt, economical, and efficient services that are responsive to the needs of the communities served. District officials and Postmasters should determine adequate locations and schedules for collection points, including collection boxes in each community. Use all criteria outlined in this manual in determining appropriate locations and collection schedules. Balance collection locations and schedules according to the specific nature of customer and community needs (e.g., commercial centers, shopping centers, senior citizen housing, and public facilities), preparation of collection mail, and dispatches for timely processing of mail at the processing plant.

Mail is collected in residential and business areas at times scheduled to connect with mail dispatches.

To meet these objectives, collection schedules and locations should be established or modified by the local Postmaster in accordance with the following standards:

#### 313.12 Collection Location Standards

Collection location standards are as follows:

- a. Continually review collection operations. Make adjustments as justified by changing conditions such as the safety and security of employees, customers, and the public, as well as opportunities to implement more efficient and economical operations.
- b. For operational and security reasons, do not locate collection boxes at airports, ports, and public facilities inside of secure areas.
- c. Boxes should be sited in high-traffic locations where they are highly visible to the public to minimize vandalism and theft, in lighted areas, with minimal screening by shrubbery and exposed to appropriate lighting and security cameras at night and off-peak times. Grocery stores, banks, and shopping centers are examples of optimal locations for collection boxes.

#### 313.13 Collection Schedule Standards

Collection schedule standards are as follows:

- a. Arrange schedules based on efficient route planning and dispatches to the processing plant. Arrange collection schedules so that collections are made no later than approximately 20 minutes after the posted time, taking local conditions and traffic into consideration. Mail should never be collected before the posted collection time. Collections on a dedicated collection route should not be scheduled to start earlier than noon. All collection points must have a collection box schedule decal (see [316](#)), whether collected by city carrier, rural carrier, contract delivery service carrier, collector, clerk, postal vehicle service (PVS), or HCR driver.

- b. Where collection boxes are grouped in multiple units at one street location, collections must be scheduled at the same time within the group.
- c. All collection boxes assigned to delivery routes should be collected by the carrier during the time the carrier passes the box in the act of delivery except on foot routes. If the carrier passes the box on his or her return to the office in the afternoon, it may be more efficient for the carrier to collect the box on the return.
- d. The criterion for a box to qualify for a potential 5:00 P.M. collection or later are:
  - The box must generate an average of 100 pieces or more daily and should be a Business area collection box; or,
  - It is a box outside of a Postal unit that has a 5:00 P.M. or later dispatch to the Area processing plant.
- e. Collection boxes that generate 25 or more pieces a day should normally be picked up by the carrier delivering mail provided it is not a foot route. For more information on collection routes, consult Handbook M-39, *Management of Delivery Services*, section 234.3, for potential action. Collection boxes averaging less than 25 pieces a day can be relocated within the neighborhood or community to a potentially higher volume location or removed. Boxes should be provided adjacent to senior citizen housing, municipal and judicial buildings, and other public facilities. These are examples of the types of boxes that may be left in place even if fewer than 25 pieces per day are generated.

## 313.2 Specific Schedule and Location Standards

### 313.21 At Postal Facilities

Every CAG A–K Postal Service-operated retail facility and Village Post Office (VPO) should provide an external collection box for customer use. The minimum size acceptable is a Standard size box. If accessible by a vehicle, this box should be snorkel-equipped for maximum customer convenience. At CAG L offices where a letter box is not supplied, a slot in the outer Post Office door or other mail receptacle may be provided. Collection boxes or other alternatives for customers to deposit mail should also be provided at Postal stores and all contract retail facilities.

The standards are as follows:

- a. *For Non-city Delivery Postal Facilities:* The District manager may utilize highway contract route (HCR) carriers, rural carriers, clerks, and/or other carriers for collections from the box in front of non-city delivery Post Offices. Pick up times should be as late as possible to enhance customer service, no earlier than 15 minutes before the retail counter closes. If the facility is on a transportation route, consideration should be given to HCR collection.
- b. *For City Delivery Postal Facilities:* Collection boxes located outside of city delivery Postal-operated retail facilities should be collected at or after 5:00 P.M., Monday–Friday. Postal-operated retail facilities may provide justification for an earlier than 5:00 P.M. pick-up time by

exception as outlined in section [313.3](#) (e.g., AMP has affected transportation times). Collection boxes located outside of processing plants must be collected at or after 6:30 P.M., Monday–Friday, in conjunction with the operating plan of the subject plant’s 010 operation. Collection boxes located at city delivery Post Offices should be collected by the personnel assigned to provide service at that facility rather than through dedicated collection runs, except at times when the personnel at that facility are not working. The final collection at a retail-only facility covered by these policies must occur either within one hour of the final dispatch of value or within 15 minutes of the time the window closes. City delivery offices with associated city carriers located within the facility must perform their final collection within one hour of the final dispatch of value. When an office has extended retail hours beyond the dispatch of value, a collection must be conducted no later than the dispatch of value to ensure all mails are processed daily in a timely manner.

### 313.22 **Residential Collection Boxes**

In residential areas (see [311a](#)), collections from residential collection boxes must not be made before the scheduled time and should be made approximately no later than 20 minutes after the posted time, if possible. Locally available data, such as Customer Insight Measurement (CIM) data, should be used to determine customer preferences for box location. Actual customer demand should also be considered when determining box location; density studies are a good source for this information.

The residential collection schedules are as follows:

- a. **Residential Collection Schedules Monday Through Saturday —**  
Carriers should collect mail from residential boxes during their normal delivery of mail to the residential neighborhood. Residential area collection boxes should have a posted pickup time approximately 20 minutes prior to the expected arrival time of the carrier serving the route. If the foot or motorized carrier normally passes these boxes on return to the delivery unit, the pickup should be scheduled at the later time so as to allow the latest possible collection. Collection times should be scheduled as late in the day as possible consistent with efficiency; however, there are no specific collection time requirements for residential area collection boxes.
- b. **Sunday and National Holidays —** Scheduled collection service from residential collection boxes is generally not provided on Sundays or national holidays. If needed to avoid overflow conditions, to secure the mail, or to advance collections for the next processing day, mail may be picked up without an entry on the collection schedule decal.

### 313.23 **Business Area Collection Boxes**

In business areas (see [311b](#)), install boxes where the greatest mail volume is generated and where boxes are convenient to the greatest number of businesses. Business area boxes generating lower volumes should be reviewed periodically for relocation within the business area to a higher volume location. Locally available data, such as Customer Insight Measurement (CIM), should be used to determine customer preferences for

business box location. Actual customer demand should also be considered when determining box location; density studies are a good source for this. A Saturday collection is optional for business area collection boxes provided they are not collected after 5:00 P.M., Monday through Friday, and mail is not delivered in the area. If mail is delivered in the area on Saturday, the carrier should collect the box as he or she passes while performing delivery duties.

#### 313.24 **Business Area 5:00 P.M. or Later Boxes**

A business area box that generates a daily average of 100 or more pieces Monday through Friday may be scheduled for a 5:00 P.M. or later collection. Collection times are as follows:

- a. **Last Pickup Between 5:00 P.M. and 6:29 P.M. (Monday–Friday)**  
 These boxes should display 5:00 P.M., 5:30 P.M., or 6:00 P.M. schedule decals, as appropriate. Locate these boxes as follows:
  - Where needed in business areas; or,
  - In front of Post Offices' main offices, classified stations, and branches, except for locations where the Area manager, Delivery Program Support (DPS) has determined that a 5:00 P.M. or later collection is not viable, due to unusual operational, logistics, or other community service reasons.
- b. **Last Pickup Between 6:30 P.M. and 8:00 P.M. (Monday–Friday)**  
 These boxes should display 6:30 P.M., 7:00 P.M., 7:30 P.M., or 8:00 P.M. schedule decals, as appropriate.  
 These boxes will be located at offices where processing of outgoing is performed.
- c. **Saturday**  
 For boxes that average 100 pieces or more Monday-Friday but average fewer than 100 pieces in a Saturday density analysis (see [314.3](#)), a Saturday collection is not mandatory if mail is not delivered. If mail is delivered in the area on Saturday, the carrier should collect the box as he or she passes while performing delivery duties. Boxes that average 100 pieces or more in a Saturday-density analysis require Saturday collection no earlier than 1:00 P.M. unless an exception has been granted in accordance with [313.3](#) for these boxes. In the case where a Saturday Area Mail Processing Plan has been established, the last daily collection time should be established in conjunction with the last dispatch of value in order to meet the operating plan of the subject plant's 010 operation.
- d. **Sunday and National Holidays**  
 Except at larger postal facilities, most collection boxes will not have scheduled collections on Sundays or national holidays. Local management determines if collections are necessary from specific collection boxes to avoid potential overflow conditions, to secure the mail, or as needed to prepare mail for later processing. Collection schedule decals should indicate holiday collections when scheduled collections are made from the box on holidays. Where conducted, these collections should be as late in the day as possible to ensure that

the mail will connect with dispatches of value to meet established standards.

Some national holidays are widely observed, and customer demand diminishes significantly on the day before the holiday. In such instances, usually on the eves before Christmas and New Year's Day, where senior management determines that expected customer flows will be minimal, senior management may authorize early retail closings and/or early collections. Authorization for such operational changes will be communicated from Headquarters to the Areas and from the Areas to the Districts. When such operational changes are authorized, Postmasters, with the concurrence of the appropriate District, will review collection operations to determine where advancing early collections are warranted. Postmasters will then implement any such early collections. Information advising the public of any early retail closings and/or early collections must be communicated to the public via press release. Additionally, each District and Post Office must take reasonable steps to ensure that such information is timely published through local news releases, radio and television notices, and postings in affected Post Offices, stations, and branches. Additionally, local Postmasters are authorized, but are not required, to inform customers that a collection box will receive an early collection via a posting on the affected collection box. The Postmaster must use his or her judgment to determine whether such posting is practical or warranted based on local conditions, installation location, past customer requests, and past experience.

### 313.3 **Exceptions to Mandated Service**

#### 313.31 **General**

Only the Area manager, Delivery Programs Support (DPS) may authorize exceptions to collection standards. Any exceptions must be based on factors such as staffing, logistics, safety, security, volume declines or increases, operational limitations, or other circumstances that justify an exception.

#### 313.32 **Exception Documentation**

All exceptions requested and granted must be documented in writing by the Postmaster and/or District personnel involved and are valid for 365 days or until completion of the next density test. Copies of all written exception requests and approvals must be maintained at the office of the Area manager, DPS. Documentation for all exceptions granted must be provided to the manager, City Delivery, at Headquarters upon request.

#### 313.33 **Exception for Removal**

The Area manager, Delivery Programs Support, must authorize all collection box removals.

## 314 Collection Point Management System, Collection Tests, and Density Tests (Volume Reviews)

### 314.1 General

All collection points are required to be entered in the Collection Point Management System (CPMS) by the responsible District where Internet access is available. No scheduled collection may be excluded from CPMS. The information recorded in CPMS must be accurate and complete and must be reviewed at least annually by the District for accuracy. All exceptions must be in accordance with [313.3](#). CPMS is utilized to electronically verify collections. Any collection points recorded in these systems and receiving electronic scan data do not require the manual test as specified in [314.2](#). Collection points are defined locations where a customer drops off mail for collection by the Postal Service. These can include mailchutes, receiving boxes, firm pickups, Self-Service Kiosk (SSKs) drops, lobby drops, and mail collection racks. Collection boxes are a subset of collection points.

### 314.2 Manual Collection Tests

In any delivery office lacking Internet access and any such office not using electronic collection management tools, the collection points process must be tested quarterly. This test is completed using plastic collection test card D-1148 and PS Form 3702, *Test Mailing Record (Collection and Special Test Mailings)*, in accordance with Handbook M-39, *Management of Delivery Services*, part 133.

### 314.3 Volume Density Tests

Estimates of collection box volumes should only be used for preliminary information, where no changes are considered, or to determine which boxes will have a density test performed. All determinations made under POM [315.3](#) (relocation/removal of boxes) should use the following density-test process:

- a. Use an actual count for letters or record a linear measurement of letters contained in the box.
- b. Convert the linear measurement to pieces at 227 pieces per foot (or current conversion figure).
- c. Add actual piece counts for flats and small parcels.

Density tests should be for a continuous 2-week period. At a minimum, density tests must be performed annually.

If the potential action under consideration involves Saturday collection alone, only collect data from four consecutive Saturdays.

Where multiple boxes are collected, mail volume from all boxes must be totaled. Collectors are required to record all density test mail volumes in the scanner. Collections density volume will be stored in Postal systems for use as needed.

For offices without Internet access, use locally available tools (e.g., Excel) to generate density-test worksheets. Retain data locally until a subsequent density test is conducted. Provide feedback to the District collections coordinator as needed.

## 315 **Collection Boxes**

### 315.1 **Appearance**

All collection boxes must have a uniform appearance and indicia so that customers can readily identify the type of service provided at each box. All boxes must be maintained in good condition with a clean and legible collection schedule decal. Boxes must be painted in accordance with and have only the decals prescribed by Brand and Policy at Headquarters. Collection boxes are to be maintained in good condition.

### 315.2 **Number, Location Type, and Box Type**

Install a sufficient number and type of collection boxes (see parts [313.1](#), and [322.22](#)) within the delivery area to handle mail volume.

### 315.3 **Relocation Before Removal**

Collection boxes averaging less than 25 pieces a day should be relocated within the neighborhood or community to a potentially higher volume location. A two-week density test and analysis must occur at least annually.

Boxes adjacent to senior citizen housing, municipal and judicial buildings, and other public facilities are examples of the types of boxes that may be left in place even if fewer than 25 pieces per day are generated. Before removing a collection point, it must be considered for relocation within the neighborhood.

If after exhausting/reviewing potential relocation options, it is ultimately decided that the collection point should be removed, approval must be granted by the exception authority listed in [313.3](#). Before a collection box can be removed or relocated, a notice to that effect for customers must be placed on the box 30 days prior to the removal or relocation showing the location(s) and collection schedule(s) for other collection points in the vicinity.

### 315.4 **Immediate Removal**

If, after a collection box has been vandalized or tampered with, the location is determined to be unsecure by the Area manager, Delivery Programs Support, the box may be removed immediately without notice.

## 316 **Collection Schedule Decals**

A correct and legible collection schedule decal, Decal 55B, displaying all scheduled collections, must be affixed at each collection point. This decal must also indicate the location of the nearest collection point with a 5:00 P.M. (or later) scheduled collection.

For collection schedule changes that eliminate a 5:00 P.M. or later collection on weekdays or that eliminate a Saturday collection, post a notice on the box at least 30 days before any changes to inform affected customers, showing the location of the nearest collection point with a 5:00 P.M. or later collection and a Saturday collection. Retain a copy of the posted notice in the local files. Before any such action is taken on a collection box with a scheduled pick-up of 5:00 P.M. or later, be sure a two-week density test was completed and it justifies the change.



## 317 Collection Box Types

### 317.1 General

These types of collection boxes are currently in service with the U.S. Postal Service and are owned and maintained only by the Postal Service. As previously stated, all box types are required to have a collection schedule as well as the current DDD-1 label. Other required decals may be found in Maintenance bulletins issued by the Maintenance Technical Support Center. The boxes must be without rust, use the proper paint color and be graffiti-free. An anti-graffiti coating is now applied to all boxes when refurbishment is done.

### 317.2 Standard

The most common blue collection box found on the street is a standard box. Collection is made by the collector opening a door in the lower front of the box and using a special Arrow key. Key series are assigned by the Material Distribution Center (for help call 800-2332-0317, option 4, option 4) and will vary in neighboring Post Office areas. Generally, a white flat tub is kept in the box, and is simply exchanged by the collector after scanning the interior barcode applied there.

### 317.3 Large

These boxes were designed to be installed in front of medium to large Post Offices. They contain a larger mail container than a standard box, and thus hold over twice as much mail. These boxes are generally installed with a snorkel attachment to allow for drive-up service directly from the customer's vehicle. Guidelines for snorkel boxes may be found in Maintenance bulletins issued by the Maintenance Technical Support Center.

### 317.4 Jumbo

These boxes are designed to be used in locations of high outgoing mail generation. They are the largest box in service by the Postal Service. These boxes use a special high-security lock. The collector must have an empty Item 1046, Hamper, and he or she simply swaps the empty hamper for the full 1046 hamper located within the jumbo collection box. If necessary, the boxes may be equipped with up to two snorkel attachments.

### 317.5 Motorist Mailchute (Snorkel) Boxes

A motorist mailchute snorkel box is a collection box that is affixed with a snorkel attachment that permits motorists to deposit mail in a collection box without exiting their vehicles. Adhere to any state or local traffic regulations concerning placement of these boxes. Snorkel boxes are available in the following sizes:

- a. Snorkel — Standard blue box with a snorkel attachment for driver's deposit of mail.
- b. Large Snorkel — Larger capacity blue box with a snorkel for driver's deposit of mail. The box holds two tall bins for deposit of mail.
- c. Jumbo Snorkel — Extremely large capacity blue container with a snorkel for driver's deposit of mail. The box holds Item 1046, a large hamper, for easy mail removal.

### 318 **Priority Mail Express Collection Boxes**

#### 318.1 **Identification**

Appropriately label these boxes as Priority Mail Express.

#### 318.2 **Location**

Separate, designated boxes may be provided at all offices that accept Priority Mail Express. The requirements for the location of individual Priority Mail Express boxes will be determined by the District manager or his/her designee.

#### 318.3 **Number of Boxes**

The District manager or designee must decide where there is a need for Priority Mail Express (locations inside buildings and external street locations) in addition to determining the need for local or area-wide collection service.

## 32 Mail Deposit and Collection

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### 321 **Ordinary Deposit of Mail**

#### 321.1 **Post Office Lobby**

Letter drops are provided in lobbies of all Post Offices for the deposit of ordinary mail (see exception in [313.3](#)). If the facility is provided with a Self-Service Kiosk (SSK), the lobby will also be provided with an SSK drop for the acceptance of small packages. This may be a wall drum or a free-standing receptacle.

#### 321.2 **Rural and Contract Delivery Service Boxes**

Mail on which postage is paid may be deposited for collection in mailboxes located on rural and Contract Delivery Service (CDS) routes in rural style, Postmaster General-approved mailboxes. The customer should raise the flag to indicate that outgoing mail has been deposited.

#### 321.3 **Vertical Improved Mail and Firm Mailrooms**

At vertical improved mail (VIM) and firm mailrooms, mail may be deposited in bundle mail drops where provided. Otherwise, mail may be left with the carrier on duty when the VIM call window is open.

### 322 **Mailchutes and Receiving Boxes**

#### 322.1 **General**

Mailchutes and receiving boxes are not collection boxes and are not subject to the policies spelled out in other sections of this chapter. Mailchutes and receiving boxes are nonetheless viable collection points that may be utilized by the public in the deposit of mail, which carriers are then obligated to collect.

**322.2 Use****322.21 Determination of Installation**

Mailchutes and receiving boxes may be placed, at the expense of the owner, in public buildings, railroad stations, hotels, and business or office buildings of not less than four stories and apartment houses of not less than 40 residential apartments. Buildings with receiving boxes must be open to the general public, without restrictions, during the hours specified by local postal management for mail collections. Building management must be prepared to allow for access during extended periods when weather is inclement, or collection times may be restricted to normal business hours. Keytainers must be installed when lobby hours are inadequate to provide required access.

**322.22 Purpose**

Mailchutes and receiving boxes are intended for the deposit of First-Class Mail. USPS Marketing Mail may not be deposited in mailchutes and receiving boxes.

**322.3 Installation, Specification, and Maintenance**

Requests for the installation of mailchutes and receiving boxes must be approved by the Postmaster, and he or she must be furnished the contract and specifications for any proposed chute and box. The specifications for mailchutes and maintenance procedures are covered in Publication 16, *Mail Chutes, Receiving Boxes, and Auxiliary Collection Boxes: Regulations and Specifications*. All maintenance is done by and at the expense of the owner.

Cooperative mailing racks may be installed by building managers in the lobbies of office buildings. All mail rack locations and equipment must be approved by the local Postmaster. The Postal Service does not provide nor maintain such equipment.

**322.4 Schedules**

All mailchutes, receiving boxes, and mailing racks are collection points and therefore must be included in the national electronic collection point management database. Schedules must be included for each of these collection points and should be posted on or near the collection point. It is expected that all mailchutes, receiving boxes, and mailing racks will be picked up by the regular carrier during the delivery of mail to the building. Any collection of these collection points on collection runs is at the discretion of local postal management and is based on consistent collection volume and building accessibility. Twenty-four hour accessibility or the use of keytainers is recommended.

**322.5 Bulk Mailings**

Mailings under permit indicia or in bulk must be deposited at times and places designated by the Postmaster. These mailings are prohibited from deposit in collection boxes, mailchutes, receiving boxes, or other mail collection receptacles or points because permit or bulk mailings must be verified to ensure proper acceptance.



# 4 Mail Processing Procedures

## 41 Introduction

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Once mail is collected and brought to the processing facility, it must be distributed, transported, and delivered to its final destination. This process begins with mail preparation, which entails dumping, culling, facing, traying, and canceling the collected mail. Once this is accomplished, the mail is ready for distribution or sorting. After mail preparation and distribution, the mail is routed and dispatched to a destinating processing facility where it is finalized and sent to the carrier unit for delivery.

## 42 Responsibilities

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### 421 Headquarters

Network Operations Management has the following responsibilities:

- a. Coordinate mail processing for interarea receipt and distribution to ensure optimal service and efficiencies.
- b. Prepare and issue instructions, procedures, policies, guidelines, and directives pertaining to manual, mechanized, and automated mail processing and equipment.
- c. Review and approve proposed changes in the makeup and labeling of mail processed at area distribution centers (ADCs), automated area distribution centers (AADCs), Air Mail<sup>®</sup> centers/facilities (AMC/Fs), and bulk mail centers (BMCs) concurrent with area input.
- d. Approve with Address Management all ZIP<sup>™</sup> Code assignments and requests for ZIP Code changes and realignments.
- e. Prepare and issue instructions, procedures, policies, guidelines, and directives pertaining to inter-intra transportation using all modes.
- f. Maintain list of all network processing facilities as shown in the national labeling lists (see DMM<sup>®</sup> L).

**Note:** ZIP Code assignments to facilities change depending on class or shape of mail.

### 422 Area Offices

Operations Support in the area offices will review all plans submitted by the customer service processing facilities, air mail centers/facilities (AMC/Fs),

and bulk mail centers (BMCs) for completeness and compatibility with long-range mail processing and delivery needs of the area. In-Plant Support reviews and approves all operating plans, deployment plans, metro plans, equipment plans, sort plans, long-range Remote Barcoding System (RBCS) plans, and review of staffing and scheduling (Site Meta) plans developed and submitted by the P&DC/Fs. Distribution Networks (DNs) in the area office will review all the plans mentioned in the preceding sentence that are submitted by the AMC/Fs, PDC/Fs, customer service facilities and BMCs. In addition, Areas have these responsibilities:

- a. Monitor, evaluate, and direct, when necessary, mail processing in the area to ensure complete and continuing compliance with Headquarters guidelines and policies.
- b. Distribution Networks determines and implements managed mail processing (MMP) distribution requirements for facilities in the area's service area and resolve field differences pertaining to transportation needs for the intraarea and interarea movement of mail.
- c. Develop and issue guidelines to facilitate the development of schemes, schedules, and unit operating plans.
- d. Provide an effective reporting system for communicating ongoing, workable mail processing programs to Headquarters, other areas, and local managers.
- e. Keep a copy of all approved plans on file. Submit plans that require ZIP Code assignments or changes to Address Management, Customer Service Support.
- f. Determine requirements for installations in the area regarding the type and extent of mail distribution and the schemes and methods used. Submit plans that require changes to the Distribution Network for any class of mail to Logistics, Network Operations Management, Headquarters.

## 423 **Area Distribution Networks**

### 423.1 **General**

The area DN manager administratively reports to area manager, Operations Support. It is responsible for preparing all authorized National Air and Surface System (NASS) dispatch and routing instructions. Distribution Networks perform the following functions when designing dispatch and routing guidelines:

- a. Develops logistical plans for movement of mail from an originating customer service facility to the destinating processing facility as noted in the area's internal labeling instructions and as specified by Headquarters' Distribution Networks. Internal labeling instructions specify what appears on placards and labels. A master file of this list is kept in the area office.
- b. Selects transportation for routing mail between and within area boundaries.

- c. Provides a minimum of two dispatches for tie-out purposes. Processing facilities must execute the respective dispatch, labeling, and transfer operations as described in the operating plan.
- d. Provides extra trips and emergency transportation as required.
- e. Determines the authorized distribution and routing of all classes of mail originating in the area, and issues appropriate instructions.
- f. Authorizes or approves the authorization of any intraarea distribution changes.
- g. Establishes and implements service improvement programs. Reviews ODIS and EXFC scores to target service problems. Evaluates the relationships of sort programs to the existing transportation network. Ensures that transportation is giving our customers the best possible service. Ensures that all processing facilities are in compliance with the established and approved transportation network.
- h. Develops PVS requirements for inter-plant, AMC/AMF, and BMC Rail Yard Transportation.

#### 423.2 **Feedback Requirements**

For any system to be effective, an open exchange of information must take place. This exchange of information will help develop plans for the movement of mail from an originating mail processing facility to the destinating mail processing facility that is noted in the labeling instructions and specified by the Postal Service™ distribution network. Distribution Networks (DN) is responsible for thoroughly explaining all NASS dispatch reports to personnel at mail processing facilities. Mail processing facilities are responsible for notifying DN of operational changes, errors in NASS reports, and suggestions to improve service and/or cost performance.

### 424 **Processing and Distribution Center/Facility**

#### 424.1 **Definition**

Designated associate offices, stations, and branches will send outgoing mail to the processing and distribution center/facility (P&DC/F) or customer service facility for processing and dispatch. Processing and distribution facilities report directly to the area office on mail processing matters. Processing and distribution center/facilities will provide instructions on preparation of collection mail, dispatch schedules, and sort plan requirements to associate offices and mailers. Labeling instructions for all classes and categories of mail are issued by Network Operations Management, Headquarters.

#### 424.2 **Operating Plan Review**

P&DCs review all standard operating plans submitted by their P&DFs for completeness and compatibility with the long-range mail processing and delivery needs of the center's area of responsibility. The P&DC submits appropriate plans in a complete package to the area office. ADCs and AADCs for all classes of mail are proposed by the Vice President, Area Operations, for approval by Network Operations Management,

Headquarters. Generally, P&DC/Fs are selected to function as ADCs or AADCs. They must have sufficient work space and automated and mechanized processing capability to handle the managed mail processing volume destinating in their area. Separations of mail by specific ZIP Code areas for these ADCs/AADCs are mandatory at each originating processing facility. Incoming and outgoing mail distribution is performed following area guidelines and must be completed by the cutoff times listed in the operating plan for each processing facility. ADCs and AADCs are ultimately determined by the vice president, Network Operations Management, Headquarters. Area Distribution Networks has a major role in determining what the ZIP Code range shall be for each ADC and AADC. These ZIP Codes are based on optimum transportation capabilities and established service commitments. Area manager, Network Operations Management, should submit recommendations to the Vice President, Network Operations Management, Headquarters.

#### 424.3 **Area Distribution Centers**

Area distribution centers (ADCs) for all classes of mail are shown in the national labeling lists (see DMM L). Generally, facilities selected to function as ADCs must have sufficient work space and mechanized processing capability to handle all First-Class Mail, Periodicals, and USPS Marketing Mail that is addressed to destinations in the ADC service area. Separations of mail by specific ZIP Code areas for these ADCs are mandatory at point of origin.

#### 424.4 **Automated Area Distribution Centers**

Automated area distribution centers (AADCs) for all classes of mail are shown in the national labeling lists. Generally, facilities selected to function as AADCs must have sufficient work space and automated processing capability to handle all First-Class Mail, Periodicals, and USPS Marketing Mail that is addressed to destinations in the AADC service area. Separations of mail by specific ZIP Code areas for these AADCs are mandatory at point of origin.

#### 424.5 **Associate Office Distribution Responsibilities**

An associate office (AO) reports directly to and receives instructions from the district office, in cooperation with the P&DCs, on mail processing matters. The postmaster of an AO is responsible, along with Customer Service and Sales, for keeping mailers advised of the correct makeup and labeling of all classes of mail.

#### 425 **Air Mail Center/Facility**

An air mail center/facility (AMC/AMF) is a postal facility located at or adjacent to an airport. The AMC/AMF core operations are: assignment of mail to flights; receipt and dispatch of mail to/from air carriers; acceptance and sortation of mail to/from plants; performance measurement/quality control of air carrier operations; and management of functions specific to airport operations (customs, con-con, etc.). The AMC/AMF operation includes billing of mail tendered to air carriers, transit handling of mail between air and



highway transportation routes, and supervising the transfer of mail between air carrier flights. Some AMC/AMFs act as international and military exchange and concentration centers, Priority Mail<sup>®</sup> outgoing concentration centers, and destinating ADCs. Some larger AMC/AMFs have fixed mechanization, which is used for both incoming and outgoing SCF distribution to air carriers. Some facilities may perform distribution normally associated with P&DC/AMFs.

#### 426 **Network Distribution Centers**

The Network Distribution Centers (NDCs) network consists of 21 strategically located, highly mechanized, and automated facilities that serve as centralized processing and transfer points for designated geographic areas. NDCs receive and process originating and destinating mail volumes of Periodicals, USPS Marketing Mail, Package Services, and in some cases Priority Mail destinating within their own service area.

## 43 ZIP Codes and the ZIP+4<sup>®</sup> System

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#### 431 **ZIP Codes**

ZIP Codes are 5-digit geographic codes that identify postal delivery areas within the United States and its possessions and territories to simplify distribution and delivery of mail by the U.S. Postal Service (see [439](#)). The following definitions apply:

- a. A *postal area ZIP Code* is a 5-digit ZIP Code assigned to postal facilities, box sections, caller service, vertical improved mail (VIM) units (buildings), military installations, and delivery areas.
- b. A *Post Office<sup>™</sup> box ZIP Code* is a 5-digit ZIP Code assigned exclusively to Post Office boxes.
- c. A *unique ZIP Code* is any 5-digit ZIP Code assigned exclusively to a single firm, government agency, etc.
- d. A *firm ZIP Code* is a 5-digit ZIP Code shared by customers who use prebarcoded FIM A (courtesy reply) or FIM C (business reply) mail, which facilitates automated distribution.

#### 432 **ZIP+4<sup>®</sup> Code**

ZIP+4 codes are 5-digit ZIP Codes followed by a hyphen and 4 additional digits. The 5-digit ZIP Code identifies postal delivery areas. The first 2 digits after the hyphen denote a delivery sector, which may be several blocks, a group of streets, several office buildings, or a small geographic area. The last two numbers denote a delivery segment, which may be one floor of an office building, one side of a street, specific departments in a firm, or a group of Post Office boxes. In the case of Business Reply Mail Accounting System (BRMAS), qualifying BRM customers can be assigned ZIP+4 codes that represent a specific BRM mailpiece at a specific postage rate.

**433 Placement**

The ZIP Code is an integral part of a mailing address. It should appear on the last line (of both the destination and return addresses) following the name of the city and state. The Postal Service may apply a ZIP Code, ZIP+4 code, and/or finest depth of sort representative barcode to mailpieces with incorrect or nonexistent ZIP Code information to facilitate processing.

**434 Employee Training**

All orientation and training of employees involved with mail processing should include full explanation of the ZIP Code, ZIP+4 code, and barcode systems and their use. All mail distribution systems depend on ZIP Codes, ZIP+4 codes, and/or barcodes to process mail correctly and efficiently.

**435 Boundaries**

Area ZIP Code boundaries must be as permanent as the present and foreseeable needs of the population permit and should coincide with natural physical boundaries or major highways.

**436 Unique**

Unique ZIP Code assignments must provide service benefits to the customers and service/cost benefits to the Postal Service.

**437 Planning**

Long-range ZIP Code planning (at least 10-year, and preferably 20-year, projections) must be completed to determine availability of ZIP Codes for future mail processing and delivery needs.

**438 Delivery Point Sequence (DPS)**

A DPS code is an 11-digit barcode that is applied by the mailer or the U.S. Postal Service. This barcode permits the automation processing system to sort the mail in delivery sequence order.

**439 ZIP Code Authorization and Assignment****439.1 Definitions**

The following definitions are helpful in understanding the ZIP Code system:

- a. *Address Management System (AMS)*. An integrated database located at the San Mateo Integrated Business Solutions Center and maintained by the local AMS office. It is the official source of address information.
- b. *Delivery ZIP Code*. A ZIP Code assigned to postal geographic delivery areas. It may serve box sections, vertical improved mail (VIM) units, and military installations.
- c. *Post Office Box ZIP Code*. A ZIP Code assigned exclusively to Post Office boxes and/or general delivery.

d. *Post Office Discontinuances:*

- (1) *Close.* An action in which operations at a Postal Service–operated retail facility are permanently discontinued without providing a replacement facility in the community. Replacement services are provided by a neighboring Postal Service–operated retail facility, contract delivery service, rural delivery service, city delivery service, or alternate access channels.
- (2) *Consolidate.* An action that replaces a Postal Service–operated retail facility with a contractor-operated retail facility. A resulting contractor-operated retail facility reports to a Postal Service–operated retail facility.

e. *Shared ZIP Code.* A ZIP Code that is shared by customers who primarily use prebarcoded FIM A (courtesy reply mail (CRM)) or FIM C (business reply mail (BRM)). Shared ZIP Code mail can be distributed beyond a 5-digit level.

f. *Unique ZIP Code.* A ZIP Code that is assigned exclusively to a single firm or government agency. Unique ZIP Code mail will be distributed only to a 5-digit level.

## 439.2 Assignment Criteria for New ZIP Codes

### 439.21 Delivery ZIP Code

The Postal Service will not assign ZIP Codes solely to provide community identity.

### 439.211 Establish Delivery ZIP Code

Before any ZIP Code can be authorized or assigned, the manager of the district AMS office must prepare a long-range study of ZIP Codes in his or her district and keep it on file. The AMS manager is responsible for monitoring delivery growth patterns, facilities planning, and any other factors that will alter the existing ZIP Code boundaries. The long-range study requires input from delivery managers for growth patterns to be planned and established. This includes 5-year and 20-year projections in areas that could be affected. This planning approach will stabilize delivery ZIP Code areas and assist in reducing constant changes in schemes. Any plan of action must not compromise the integrity or stability of the 5-digit ZIP Code system (see PS Form 5401, *Documentation to Establish a Delivery ZIP Code* ([Exhibit 439.211](#))).

Establishment of delivery ZIP Code geographic boundaries should minimize the number of customer addresses affected and should be consistent with current and future mail processing needs. District officials should consider municipal boundaries and customer interests in all zone splits. If a ZIP Code that is being considered for adjustment crosses municipal boundaries, consult municipal offices before submitting the proposal, and consider all reasonable solutions. This consultation must be documented on PS Form 5401 (see [Exhibit 439.211](#)).

**Note:** Do not transfer any portion of a delivery area smaller than a ZIP+4 segment from one carrier or delivery unit to another.

Exhibit 439.211

**PS Form 5401, Documentation to Establish a Delivery ZIP Code**


Documentation To Establish A <b>Delivery ZIP Code</b>					
Please print or type the required information in the spaces indicated.					
<b>General Information</b>					
1. Post office name:					State:
2. Name of existing facility:					
3. Current ZIP Code:	4. AZI:	5. Proposed ZIP Code(s):	6. Was the proposed number previously assigned? <input type="checkbox"/> Yes <input type="checkbox"/> No		
7. Proposed facility name:			If yes, how long has it been unassigned?		
8. Number of inactive 5-digit ZIP Codes remaining in the 3-digit area:					
<i>Note: Pending requests are considered active.</i>					
Completed by:		Title:		Phone:	
<b>Mail Distribution Issues (Functions 1 and 4)</b>					
1. Please mark any equipment for which Mail Processing will provide a separation for the new ZIP Code.					
<input type="checkbox"/> Optical character reader <input type="checkbox"/> Flat sorting machine <input type="checkbox"/> Barcode sorter <input type="checkbox"/> Manual sorting case <input type="checkbox"/> Other: _____					
2. Where is the mail currently processed (facility name)?					
	Letters Facility	Flats Facility	Parcels Facility		
Primary automation					
Primary manual					
Secondary automation					
Secondary manual					
Other					
3. Where is the mail for the proposed ZIP Code to be processed (facility name)?					
	Letters Facility	Flats Facility	Parcels Facility		
Primary automation					
Primary manual					
Secondary automation					
Secondary manual					
Other					
<div style="display: flex; justify-content: space-between;"> <span>PS Form 5401 November 1999</span> <span>Documentation To Establish A Delivery ZIP Code</span> <span>Page 1</span> </div>					

Exhibit 439.211 (p. 2)

**PS Form 5401, Documentation to Establish a Delivery ZIP Code****Projected Growth Rates** (*Unsplit delivery area*)

Provide 5-, 10-, and 20-year projected growth rates (if the existing delivery area is not split). Also provide and attach additional documentation to support the projected growth rate.

- ☐ Newspaper Articles
 ☐ Growth Projections By City and County  
☐ Dodge Reports
 ☐ Other: \_\_\_\_\_

ZIP Code:	Present ZIP Area		Projected Growth Rates					
	(If left unchanged)		5-Year Growth		10-Year Growth		20-Year Growth	
	Res.	Bus.	Res.	Bus.	Res.	Bus.	Res.	Bus.
Carrier Deliveries								
Routes								
Scheme Items								
PO Boxes								
ZIP+4 Sectors								
ZIP+4 Segment								
Growth Rate	*		*		*		*	

\* Annual Growth

ZIP Code: →	Present ZIP Area		Proposed Areas (Include new "present" area)					
	1.		1.		2.		3.	
	Res.	Bus.	Res.	Bus.	Res.	Bus.	Res.	Bus.
Carrier Deliveries								
Routes								
Scheme Items								
PO Boxes								
ZIP+4 Sectors								
ZIP+4 Segment								
Growth Rate	*		*		*		*	

\* Annual Growth

Exhibit 439.211 (p. 3)

**PS Form 5401, Documentation to Establish a Delivery ZIP Code****Projected Growth Rates (split delivery area)**

Provide 5-, 10-, and 20-year projected growth rates (If the existing delivery area is split).

ZIP Code:	Proposed ZIP Area		Projected Growth Rates					
	(New "Present")		5-Year Growth		10-Year Growth		20-Year Growth	
	Res.	Bus.	Res.	Bus.	Res.	Bus.	Res.	Bus.
Carrier Deliveries								
Routes								
Scheme Items								
PO Boxes								
ZIP+4 Sectors								
ZIP+4 Segment								
Growth Rate		*		*		*		*

\* Annual Growth

ZIP Code:	Proposed ZIP Area		5-Year Growth		10-Year Growth		20-Year Growth	
	(New "Present")		5-Year Growth		10-Year Growth		20-Year Growth	
	Res.	Bus.	Res.	Bus.	Res.	Bus.	Res.	Bus.
Carrier Deliveries								
Routes								
Scheme Items								
PO Boxes								
ZIP+4 Sectors								
ZIP+4 Segment								
Growth Rate		*		*		*		*

\* Annual Growth

ZIP Code:	Proposed ZIP Area		5-Year Growth		10-Year Growth		20-Year Growth	
	(New "Present")		5-Year Growth		10-Year Growth		20-Year Growth	
	Res.	Bus.	Res.	Bus.	Res.	Bus.	Res.	Bus.
Carrier Deliveries								
Routes								
Scheme Items								
PO Boxes								
ZIP+4 Sectors								
ZIP+4 Segment								
Growth Rate		*		*		*		*

\* Annual Growth

Exhibit 439.211 (p. 4)

**PS Form 5401, Documentation to Establish a Delivery ZIP Code****Additional Delivery ZIP Code Information**

1. Indicate the number and percentage of customers who will have to change their 5-digit ZIP Code or delivery address.

**Residential customers:**

Number:	Percentage:
	%

**Business customers:**

Number:	Percentage:
	%

2. Attach a narrative statement of justification explaining why the new ZIP Code area is necessary.
3. If any new facilities are planned for the near future in either the current or proposed ZIP Code, state their type, location, and estimated date of completion.

Type	Location	Date

4. Indicate explicitly which delivery unit(s) will administer and/or house the carriers for the proposed ZIP Code. (Include the physical addresses.)

--

5. Does the current 5-digit ZIP Code serve more than one municipality? ☐ Yes ☐ No

List the names of all municipalities served by the current 5-digit ZIP Code.


6. Is the proposed ZIP Code split being made along municipal boundaries? ☐ Yes ☐ No

If no, state the reason(s).

--

7. Will these municipalities continue to share the ZIP Codes after the proposed split is approved?

☐ Yes ☐ No

If yes, list the municipalities and the ZIP Codes serving them.

Municipality	ZIP	Municipality	ZIP

Exhibit 439.211 (p. 5)

**PS Form 5401, Documentation to Establish a Delivery ZIP Code**

<p>8. Is this proposal the result of a request initiated by the municipality? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>9. Have municipal officials been asked to comment on the proposed boundaries? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>10. Please submit the two maps described below. (Identify municipal boundaries when they are an issue in the proposal.)</p> <p><u>Maps (outline in color):</u></p> <ul style="list-style-type: none"> <li>• Current 5-digit ZIP Code area boundaries (indicate location of all delivery units).</li> <li>• Proposed 5-digit ZIP Code area boundaries (indicate the location of all current and/or proposed delivery units). Use natural and/or constructed boundaries when practical. Also consider current and future municipal boundaries and community-identity issues.</li> </ul> <p><b>Note:</b> <i>Clear-cut and easily discernible boundaries are important.</i></p> <p>11. Attach a complete narrative description of existing boundaries as they relate to the current delivery area. This narrative should advise whether the centerline of the streets involved is the actual boundary or is included within the boundary.</p> <p>12. Attach another complete narrative description of the proposed boundaries as they will relate to the areas involved if the change is approved. Normally, ZIP Code boundaries should include both sides of a street or highway unless the centerline is the county or state boundary. If the boundary line is the centerline of a street, explain why. Describe how your district will manage customer impact (for example, describe customer, municipal, and congressional notification and media coverage). If you need more space, use the narrative statement of justification.</p> <p><b>Note:</b> <i>Centerline boundaries may or may not be efficient for delivery and scheme reasons.</i></p> <p>13. Include a 20-year plan of the ZIP Code.</p> <p>14. Include a current matrix for all ZIP Codes served from delivery units involved in this split.</p> <p>15. Include a completed PS Form 1362, <i>Status Change Report</i>.</p>
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PS Form 5401 November 1999

Documentation To Establish A Delivery ZIP Code

Page 5



**439.212 Split Delivery ZIP Code**

The AMS manager should consider splitting the delivery ZIP Code in the following instances:

- a. Sectors: When 70 of the available 100 sectors have been assigned. When high growth is experienced in a delivery ZIP Code, monitor the impact of the growth upon sector and segment assignments. Under no circumstance will delivery ZIP Code boundaries overlap into another delivery ZIP Code (i.e., overlaid delivery ZIP Code).
- b. Scheme Items: When manual scheme items approach 800 items.
- c. Routes: When the number of regular routes exceeds 55. Carrier routes should not cross delivery ZIP Code boundaries due to added mail handling costs. Route adjustments must be made prior to the ZIP Code split to ensure that a carrier route will not cross the new delivery ZIP Code boundary unless absolutely necessary.
- d. Delivery Points: When the number of delivery points exceeds 25,000.

**Note:** When contemplating a delivery ZIP Code split, all of the criteria listed above must be considered as a whole and projected 20 years.

**439.22 Post Office Box ZIP Code**

Each proposed Post Office (PO) box ZIP Code must receive a thorough review and analysis at the district AMS level. Before submitting a request, the district manager must review the criteria in [439.21](#) to determine whether the current ZIP Code or another delivery ZIP Code in the facility can absorb the proposed PO boxes. Also, the AMS manager should consider coding a box section with a common ZIP+4 code when there is no duplication of the last 2 digits of the box numbers within the section. Use PS Form 5402, *Documentation to Establish a Post Office Box ZIP Code* (see [Exhibit 439.22](#)), to aid in the district analysis process. When a thorough review and analysis at the district level supports a proposal for a PO box ZIP Code, the AMS manager must fully justify the request by using the required documentation. (PS Form 5401 (see [Exhibit 439.211](#)) will be required to determine if a delivery ZIP Code can absorb the proposed PO boxes.)

Exhibit 439.22

**PS Form 5402, Documentation to Establish a Post Office Box ZIP Code**

Documentation To Establish A <b>Post Office Box ZIP Code</b>			
Please print or type the required information in the spaces indicated.			
<b>General Information</b>			
1. Post office name:			State:
2. Name of existing facility:			
3. Current ZIP Code:	4. AZI	5. Proposed ZIP Code(s);	6. Was the proposed number previously assigned? <input type="checkbox"/> Yes <input type="checkbox"/> No
7. Proposed facility name:			If yes, how long has it been unassigned?
8. Number of inactive 5-digit ZIP Codes remaining in the 3-digit area:			
<i>Note: Pending requests are considered active.</i>			
Completed by:		Title:	Phone:
<b>Mail Distribution Issues (Functions 1 and 4)</b>			
1. Please mark any equipment for which Mail Processing will provide a separation for the new ZIP Code.			
<input type="checkbox"/> Optical character reader <input type="checkbox"/> Flat sorting machine <input type="checkbox"/> Barcode sorter <input type="checkbox"/> Manual sorting case <input type="checkbox"/> Other: _____			
2. Where is the mail currently processed (facility name)?			
	<b>Letters Facility</b>	<b>Flats Facility</b>	<b>Parcels Facility</b>
Primary automation			
Primary manual			
Secondary automation			
Secondary manual			
Other			
3. Where is the mail for the proposed ZIP Code to be processed (facility name)?			
	<b>Letters Facility</b>	<b>Flats Facility</b>	<b>Parcels Facility</b>
Primary automation			
Primary manual			
Secondary automation			
Secondary manual			
Other			
4. Will this ZIP Code be a service improvement only? <input type="checkbox"/> Yes <input type="checkbox"/> No			
5. Will this ZIP Code eliminate one or more piece handlings? <input type="checkbox"/> Yes <input type="checkbox"/> No			
<hr/> <div style="display: flex; justify-content: space-between;"> <span>PS Form 5402 November 1999</span> <span>Documentation To Establish A Post Office Box ZIP Code</span> <span>Page 1</span> </div>			

Exhibit 439.22 (p. 2)

**PS Form 5402, Documentation to Establish a Post Office Box ZIP Code****Savings Worksheet**

Demonstrate on the charts below how the ZIP Code would generate mail distribution savings by either using a more efficient operation or by bypassing a handling. Express savings or cost avoidance in dollars.

**Function 1 (Mail Processing Savings)**

Completed by:	Title:	Phone:
---------------	--------	--------

Present Mail Distribution Operation No./Desc.	Average Daily Volume Expected	Average Pieces Per Hour (PPH) for Operations	Daily Work Hours (PPH x Volume)
			A.
Proposed Operation No.	Expected Average Daily Volume		
			B.

**Function 4 (Delivery Unit Savings)**

Present Mail Distribution Operation No./Desc.	Average Daily Volume Expected	Average Pieces Per Hour (PPH) for Operations	Daily Work Hours (PPH x Volume)
			A.
Proposed Operation No.	Expected Average Daily Volume		
			B.

Add the current daily work hours in Box A. Add the proposed daily work hours in Box B. Subtract Box B from Box A to get daily work hours saved.

	Function 1	Function 4	Total
Daily Work Hours Saved (A minus B)			
Clerk Hourly Rate			
Average Daily Savings			

PS Form 5402 November 1999

Documentation To Establish A Post Office Box ZIP Code

Page 2

Exhibit 439.22 (p. 3)

**PS Form 5402, Documentation to Establish a Post Office Box ZIP Code**

Additional Post Office Box ZIP Code Information			
1. Number of post office boxes presently installed that will change to the new ZIP Code.			
2. Number of new post office boxes to be installed using the new ZIP Code:			
3. Will new post office box numbers conflict with any other post office box section in this finance number?			<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, list the ZIP Code(s) and the conflicting ranges.			
Zip Code	Range	ZIP Code	Range
4. Indicate the number and percentage of customers who will have to change their 5-digit ZIP Code or delivery address.			
<b>Residential customers:</b>		<b>Business customers:</b>	
Number:	Percentage:	Number:	Percentage:
	%		%
5. Will existing caller service box numbers be assigned to the new ZIP Code?			<input type="checkbox"/> Yes <input type="checkbox"/> No
6. How will customers be notified of their new mailing address, including the ZIP+4 code?			
7. Describe how your district will notify major mailers and other groups (e.g., local congressman, city officials, media, etc.) impacted by the change.			
8. If any new facilities are planned for the near future in either the current or proposed ZIP Code, state their type, location, and estimated date of completion.			
Type	Location	Date	

PS Form 5402 November 1999
Documentation To Establish A Post Office Box ZIP Code
Page 3

Exhibit 439.22 (p. 4)

**PS Form 5402, Documentation to Establish a Post Office Box ZIP Code**

9. Indicate explicitly which delivery unit(s) will administer and/or house the post office box sections for the proposed ZIP Code. (Include physical address.)

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10. Attach a narrative statement of justification explaining why the new post office box ZIP Code is necessary.
11. Include a 20-year plan of the ZIP Code.
12. Include a current matrix for all ZIP Codes served from this delivery unit.
13. Include a completed PS Form 1362, *Status Change Report*.

**439.23 Shared ZIP Code****439.231 Review and Analysis**

Each proposed shared ZIP Code assignment must be thoroughly reviewed and analyzed at the district level. The district manager must fully justify the shared ZIP Codes to satisfy delivery, distribution, and customer requirements. PS Form 5403, *Documentation to Establish a Shared ZIP Code* (see [Exhibit 439.231](#)), will aid in the district analysis process. District In-Plant Support will review the proposal and determine the impact the assignment of the shared ZIP Code will have on all affected operations. They will also identify any time savings that will be realized by a shared ZIP Code assignment.

Exhibit 439.231

**PS Form 5403, Documentation to Establish a Shared ZIP Code**

<b>Documentation To Establish A <i>Shared ZIP Code</i></b>									
Please print or type the required information in the spaces indicated.									
<b>General Information</b>									
1. Post office name:			State:						
2. Name of existing facility:									
3. Current ZIP Code:	4. Proposed ZIP Code(s);	5. Was the proposed number previously assigned? <input type="checkbox"/> Yes <input type="checkbox"/> No							
6. Proposed firm name:		If yes, what is the current average daily volume?							
7. Number of inactive 5-digit ZIP Codes remaining in the 3-digit area:									
<i>Note: Pending requests are considered active</i>									
Completed by:	Title:	Phone:							
<b>Mail Distribution Issues (Functions 1 and 4)</b>									
1. Please mark any equipment for which Mail Processing will provide a separation for the new ZIP Code. <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Optical character reader</div> <div style="width: 50%;"><input type="checkbox"/> Flat sorting machine</div> <div style="width: 50%;"><input type="checkbox"/> Barcode sorter</div> <div style="width: 50%;"><input type="checkbox"/> Manual sorting case</div> <div style="width: 50%;"><input type="checkbox"/> Other: _____</div> </div>									
2. Average daily volume this firm expects to receive in the Shared ZIP Code. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Barcoded</td> <td style="width: 30%;">First-Class</td> <td style="width: 40%; border: 1px solid black; height: 20px;"></td> </tr> <tr> <td>Nonbarcoded</td> <td>First-Class</td> <td style="border: 1px solid black; height: 20px;"></td> </tr> </table>				Barcoded	First-Class		Nonbarcoded	First-Class	
Barcoded	First-Class								
Nonbarcoded	First-Class								
3. Total volume this firm expects to receive in the shared ZIP Code. <span style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; vertical-align: middle;"></span> The volume that will be transferred to the proposed ZIP Code is approximately ____% of the total existing ZIP Code volume.									
4. Will this ZIP Code be a service improvement only? <input type="checkbox"/> Yes <input type="checkbox"/> No									
5. Will this ZIP Code eliminate one or more piece handlings? <input type="checkbox"/> Yes <input type="checkbox"/> No									
6. Complete the savings worksheet on next page.									
PS Form 5403 November 1999		Page 1							

Exhibit 439.231 (p. 2)

**PS Form 5403, Documentation to Establish a Shared ZIP Code****Savings Worksheet**

Demonstrate on the charts below how the ZIP Code would generate mail distribution savings by either using a more efficient operation or by bypassing a handling. Express savings or cost avoidance in dollars.

**Function 1 (Mail Processing Savings)**

Completed by:	Title:	Phone:
---------------	--------	--------

Present Mail Distribution Operation No./Desc.	Average Daily Volume Expected	Average Pieces Per Hour (PPH) for Operations	Daily Work Hours (PPH x Volume)
			A.
Proposed Operation No.	Expected Average Daily Volume		
			B.

**Function 4 (Delivery Unit Savings)**

Present Mail Distribution Operation No./Desc.	Average Daily Volume Expected	Average Pieces Per Hour (PPH) for Operations	Daily Work Hours (PPH x Volume)
			A.
Proposed Operation No.	Expected Average Daily Volume		
			B.

Add the current daily work hours in Box A. Add the proposed daily work hours in Box B. Subtract Box B from Box A to get daily work hours saved.

	Function 1	Function 4	Total
Daily Work Hours Saved (A minus B)			
Clerk Hourly Rate			
Average Daily Savings			



Exhibit 439.231 (p. 3)

**PS Form 5403, Documentation to Establish a Shared ZIP Code****Additional Shared ZIP Code Information**

1. Where did the firms entering the new shared ZIP Code come from?

☐ One previous ZIP Code
     
 ☐ More than one previous ZIP Code
2. Are the previous ZIP Codes within the same finance number?: ☐ Yes ☐ No

Describe the mail flow that will be used to make this distribution.

--

3. Explain what ZIP Codes will be removed from the automated mailstream to allow for the shared ZIP Code or what new equipment will be utilized to process the mail for the Shared ZIP Code.

--

4. Print the proposed name(s) and address(es) the firm will be using with the shared ZIP Code. (Attach additional sheet if necessary.) **Note:** An address line is required and must be standardized. (see Publication 28, *Postal Addressing Standards*.)

Name	Address

5. Explain how and when the firms will implement their 5-digit ZIP Code. Include when new envelopes and letterhead will be printed and when supplies on hand will be exhausted.

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6. Attach a completed PS Form 1362, *Status Change Report*.

7. Attach a narrative statement of justification explaining why the new shared ZIP Code is necessary.

8. List any other shared ZIP Codes in this district.

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**439.232 Address and Mail Type Requirements**

All shared ZIP Code participant mail should be prebarcoded FIM A (CRM) or FIM C (BRM) letter mail and meet the pre-barcoded mail specifications in DMM C840. A standardized mailing address is required on all mail utilizing a shared ZIP Code (see Publication 28, *Postal Addressing Standards*).

**439.233 Revenue Assurance**

Postage due mail must be kept separate from other mail. Therefore, a shared ZIP Code may be used on BRM only when it has been specifically approved for BRM.

**439.24 Unique ZIP Code****439.241 Review and Analysis**

The district AMS manager must thoroughly review and analyze each proposed unique ZIP Code assignment. The AMS manager must fully justify unique ZIP Codes and should assign them only when ZIP+4 codes will not satisfy delivery, distribution, and customer requirements. Use PS Form 5404, *Documentation to Establish a Unique ZIP Code* (see [Exhibit 439.241](#)), to aid in the district analysis process.

Exhibit 439.241

**PS Form 5404, Documentation to Establish a Unique ZIP Code**

Documentation To Establish A <b>Unique ZIP Code</b>		
Please print or type the required information in the spaces indicated.		
<b>General Information</b>		
1. Post office name:		State:
2. Name of existing facility:		
3. Current ZIP Code:	4. Proposed ZIP Code(s);	5. Was the proposed number previously assigned? <input type="checkbox"/> Yes <input type="checkbox"/> No
6. Proposed firm name:		If yes, what is the current daily volume?
7. Number of inactive 5-digit ZIP Codes remaining in the 3-digit area:		
<i>Note: Pending requests are considered active.</i>		
Completed by:	Title:	Phone:
<b>Mail Distribution Issues (Functions 1 and 4)</b>		
1. Please mark any equipment for which Mail Processing will provide a separation for the new ZIP Code.		
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> Optical character reader  <input type="checkbox"/> Barcode sorter  <input type="checkbox"/> BMC (Complete parcel post worksheet)  <input type="checkbox"/> Other: _____         </div> <div style="width: 48%;"> <input type="checkbox"/> Flat sorting machine  <input type="checkbox"/> Manual sorting case  <input type="checkbox"/> SPBS (Complete parcel post worksheet)         </div> </div>		
2. Average daily volume the firm expects to receive in the Unique ZIP Code.		
Barcoded First-Class Letters	<input style="width: 100%;" type="text"/>	Barcoded Periodicals
Barcoded Standard A Letters	<input style="width: 100%;" type="text"/>	Nonbarcoded Periodicals
Barcoded First-Class Flats	<input style="width: 100%;" type="text"/>	Small Parcels
Barcoded Standard A Flats	<input style="width: 100%;" type="text"/>	Standard B*
Nonbarcoded First-Class Letters	<input style="width: 100%;" type="text"/>	Priority*
Nonbarcoded Standard A Letters	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Nonbarcoded First-Class Flats	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Nonbarcoded Standard A Flats	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
* Complete Package Worksheet on pages 3 and 4.		
3. Total volume the firm expects to receive in the unique ZIP Code.		
The volume that will be transferred to the proposed ZIP Code is approximately ____% of the total existing ZIP Code volume.		<input style="width: 100%;" type="text"/>
4. Will this ZIP Code be a service improvement only? <input type="checkbox"/> Yes <input type="checkbox"/> No		
5. Will this ZIP Code eliminate one or more piece handlings? <input type="checkbox"/> Yes <input type="checkbox"/> No		
6. Is this proposed unique ZIP Code for package returns? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete Package Worksheet on pages 3 and 4.		
7. Complete the savings worksheet, on the next page, for all requests.		
PS Form 5404 November 1999		Page 1

Exhibit 439.241 (p. 2)

**PS Form 5404, Documentation to Establish a Unique ZIP Code****Savings Worksheet**

Demonstrate on the charts below how the ZIP Code would generate mail distribution savings by either using a more efficient operation or by bypassing a handling. Express savings or cost avoidance in dollars.

**Function 1 (Mail Processing Savings)**

Completed by:	Title:	Phone:
---------------	--------	--------

Present Mail Distribution Operation No./Desc.	Average Daily Volume Expected	Average Pieces Per Hour (PPH) for Operations	Daily Work Hours (PPH x Volume)
			A.
Proposed Operation No.	Expected Average Daily Volume		
			B.

**Function 4 (Delivery Unit Savings)**

Present Mail Distribution Operation No./Desc.	Average Daily Volume Expected	Average Pieces Per Hour (PPH) for Operations	Daily Work Hours (PPH x Volume)
			A.
Proposed Operation No.	Expected Average Daily Volume		
			B.

Add the current daily work hours in Box A. Add the proposed daily work hours in Box B. Subtract Box B from Box A to get daily work hours saved.

	Function 1	Function 4	Total
Daily Work Hours Saved (A minus B)			
Clerk Hourly Rate			
Average Daily Savings			

Exhibit 439.241 (p. 3)

**PS Form 5404, Documentation to Establish a Unique ZIP Code**

Parcel Worksheet		
Completed by:	Title:	Phone:
<b>Shape/Type</b>		
<input type="checkbox"/> Standard A <input type="checkbox"/> Standard B <input type="checkbox"/> Barcoded (As defined in DMM C840)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Nonmachinable (NMO)    Can it be processed on a mechanized NMO sorter? <input type="checkbox"/> Yes <input type="checkbox"/> No Will it be used for more than one product type? (e.g., size, weight, or different endorsement) If yes, provide details: <input type="checkbox"/> Yes <input type="checkbox"/> No <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>		
Ancillary Service Endorsements (Please list all that apply)		
Postage rating will be performed at: <input type="checkbox"/> BMC <input type="checkbox"/> P&D <input type="checkbox"/> DDU <input type="checkbox"/> AO/PO Explain procedures (e.g., pieces mixed with postage paid vs. those that must be rated) <div style="border: 1px solid black; height: 120px; margin-top: 5px;"></div>		
Firm is willing to pick up mail at: <input type="checkbox"/> BMC <input type="checkbox"/> P&D <input type="checkbox"/> DDU <input type="checkbox"/> AO/PO		
<b>Bulk Mail Center (BMC) Data</b>		
BMC performing distribution:	Average daily volume expected in Unique ZIP Code:	
Is inbound parcel volume entered directly to secondary? <input type="checkbox"/> Yes <input type="checkbox"/> No Current ZIP Code is sorted to: <input type="checkbox"/> Primary ACL (OTR/ERMC) <input type="checkbox"/> Direct secondary slide/OTR/ERMC <input type="checkbox"/> Mixed secondary slide (if checked, select below) <input type="checkbox"/> Sacked <input type="checkbox"/> Containerized Mail is dispatched to: <input type="checkbox"/> P&D <input type="checkbox"/> DDU <input type="checkbox"/> AO/PO		
<div style="display: flex; justify-content: space-between; font-size: small;"> <span>PS Form 5404 November 1999</span> <span>Documentation To Establish A Unique ZIP Code</span> <span>Page 3</span> </div>		

Exhibit 439.241 (p. 4)

**PS Form 5404, Documentation to Establish a Unique ZIP Code****Parcel Post Worksheet (continued)**

If approved the following changes to distribution will be necessary:

**PPSM:** ☐ Primary OTR/ERMC is available☐ Lowest ADV OTR that will be moved to secondary:  pieces**SPSM:** ☐ Direct secondary slide/OTR/ERMC is available.☐ Lowest ADV ZIP Code that will be mixed to accommodate:  pieces**Transportation**Current transportation to DDU/AO/PO can transport OTRs/ERMCs? ☐ Yes ☐ NoIs transportation currently in place going directly to the firm? ☐ Yes ☐ NoCan current transportation accommodate additional/new volume? ☐ Yes ☐ NoCost to modify or add new contract requirements? \$ **Delivery Unit (Function 4)  
DDU/AO/PO**Does facility have a platform/dock area to accommodate OTRs/ERMCs? ☐ Yes ☐ No  
If not, what modifications must be made?

How will mail be delivered from office to the firm?

Savings: List LDC 40C daily hours presently used for Parcel Post Distribution  hrs.Proposal will: Reduce these by  hrs.  
orCost avoidance  hrs.  
(For new expected volume)

Exhibit 439.241 (p. 5)

**PS Form 5404, Documentation to Establish a Unique ZIP Code**

Additional Unique ZIP Code Information																				
Completed by:			Title:		Phone:															
<p>1. Does the firm currently rent post office boxes in this facility? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">If yes, how many? <input style="width: 100px;" type="text"/></p> <p style="margin-left: 20px;">Will the unique ZIP Code replace all of these post office boxes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">If no, explain.</p> <div style="border: 1px solid black; height: 50px; margin-top: 5px;"></div> <p><i><b>Note:</b> A firm may not use the unique ZIP Code on its business reply mail unless the ZIP Code has been specifically approved for business reply mail.</i></p> <p>2. Explain why ZIP+4 codes in the current ZIP Code will not meet distribution requirements.</p> <div style="border: 1px solid black; height: 50px; margin-top: 5px;"></div> <p>3. Explain why a shared ZIP Code will not meet distribution requirements.</p> <div style="border: 1px solid black; height: 50px; margin-top: 5px;"></div> <p>4. Will the firm print barcodes on its preprinted envelopes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>5. Print the address that will be used with the unique ZIP Code. <b>Note:</b> An address line is required and must be standardized. (See Publication 28, <i>Postal Addressing Standards</i>.)</p> <div style="border: 1px solid black; height: 50px; margin-top: 5px;"></div> <p>6. Is the letter of agreement from the firm attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7. Explain how and when the firm will implement the unique ZIP Code. Include when new envelopes and letterhead will be printed and when supplies on hand will be exhausted.</p> <div style="border: 1px solid black; height: 50px; margin-top: 5px;"></div> <p>8. List all unique ZIP Codes currently approved for the firm at this plant.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 15%; height: 20px;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <p>9. Attach a completed PS Form 1362, <i>Status Change Report</i>.</p>																				

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Documentation To Establish A Unique ZIP Code

Page 5

439.242 **Elimination of One Piece Handling**

All unique ZIP Code assignments must eliminate one piece handling for a majority of a firm's mail. Local In-Plant Support will review the proposal to determine the impact that the assignment of the unique ZIP Code will have on affected operations. They will also identify any time savings that will be realized by assigning the unique ZIP Code.

439.243 **Addressing Requirements**

A standardized mailing address is required on all mail that uses a unique ZIP Code (see Publication 28).

439.244 **Revenue Assurance**

Postage due mail must be kept separate. Therefore, a unique ZIP Code may be used for postage due mail or for non-postage due mail but never for both.

439.245 **Mail Acceptance by Firm**

When a firm is assigned a unique ZIP Code, it agrees to accept all mail bearing the unique ZIP Code in bulk without additional separation by the Postal Service. Officials of the firm must agree to this arrangement in writing, and this letter of agreement must be included in the proposal package.

439.3 **Postal Facility Status Change and Boundary Realignment**

439.31 **Postal Facility Status Change**

439.311 **General**

Establishing, closing, and consolidating independent Post Offices, classified stations, classified branches, and community Post Offices (CPOs) may result in 5-digit ZIP Code changes.

439.312 **Establishment**

Establishment of new, independent Post Offices requires concurrence by the vice president of Area Operations and approval by the chief operating officer. Vice presidents of Area Operations or their designees have the authority to approve the establishment of classified stations and branches where needed within the service areas of Post Offices. However, approval authority may not be delegated below the district manager of Customer Service and Sales.

439.313 **Post Office Discontinuance**

When the manager of Post Office Operations receives approval from the district manager to study an independent Post Office, classified station, classified branch, or CPO for discontinuance, any proposed 5-digit ZIP Code change is reviewed by the Post Office review coordinator.

ZIP Code retention requests must be approved in writing by the Office of Address Management prior to the 60-day posting of a proposal to close or consolidate a Post Office. Retention of a ZIP Code must be based on operational justifications.

Names of discontinued Post Offices are maintained by the Office of Address Management and listed in an appropriate manner in Publication 65, *National Five-Digit ZIP Code and Post Office Directory*.



**439.32 Boundary Realignments****439.321 General**

Managers should look for reasonable solutions to external municipal requests and implement them when an establishment or realignment of ZIP Codes becomes operationally necessary. Districts will work proactively to resolve areas of concern and/or minimize conflicts between postal and municipal boundaries. Realignments that stem from external requests should be handled as outlined in *ZIP Code Boundary Review Process*. Do not transfer any portion of a delivery area smaller than a ZIP+4 segment from one carrier or delivery unit to another.

**439.322 Minor Realignments**


District managers may approve and implement requests for minor ZIP Code boundary realignments within their districts as necessary throughout the year. A minor realignment is defined as an area affecting less than 25 percent of the total delivery points of the losing ZIP Code or 500 possible deliveries of the losing ZIP Code (whichever is less). ZIP Code boundaries must not be realigned to cross state boundaries. City delivery carrier routes should be adjusted if boundary changes would result in the carrier serving more than one ZIP Code. When ZIP Code boundaries are adjusted, consider matching municipal boundaries where operationally feasible.

**439.323 Reporting**

The district AMS office must notify the Office of Address Management of all minor boundary realignments. For minor realignment information to be published in the *Postal Bulletin*, a PS Form 1362, *Status Change Request/Report* (see [Exhibit 439.323](#)), containing the minimum number of district signatures indicated on the form must be submitted by the district manager to the Office of Address Management.

Exhibit 439.323

**PS Form 1362, Status Change Request/Report**

 <b>Status Change Request/Report</b> <i>(Check all that apply)</i>	<b>A. Post Office Undergoing Status Change (Complete for ALL requests)</b>				
	1. Name			2. State	
	3. ZIP Code	4. Finance Number	5. District		
	6. County/Parish		7. Area		
<input type="checkbox"/> <b>B. Establish A New ZIP Code</b>					
1. New ZIP Code		2. ZIP Code Type			
3. Facility Name		<input type="checkbox"/> Delivery Area..... Will PO become multicoded? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> PO Box..... Number of mailboxes in new ZIP: _____ <input type="checkbox"/> Unique..... Will mail be received in bulk? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Shared..... Shared ZIP for what mail type? <input type="checkbox"/> BRM <input type="checkbox"/> CRM			
4. Last Line Name for ZIP Code		6. Average Daily Work Hours/Average Daily Dollar Amount?			
5. Number of unused ZIP Codes in this 3-Digit Area		<input type="checkbox"/> Saved <input type="checkbox"/> Avoided    _____ (Hours)    _____ (\$ Amount)			
7. Service Improvement Only <input type="checkbox"/> Yes <input type="checkbox"/> No		8. Requested Effective Date / /			
<input type="checkbox"/> <b>C. Establish A New Facility</b>					
1. Facility Name		2. Facility Type		3. Effective Date	
		Classified <input type="checkbox"/> Station <input type="checkbox"/> Branch <input type="checkbox"/> Other		/ /	
		Contract <input type="checkbox"/> Station <input type="checkbox"/> Branch			
<input type="checkbox"/> <b>D. Establish Delivery In A Previous Non-Delivery Office</b>					
1. ZIP Code		2. Effective Date / /			
<input type="checkbox"/> <b>E. Discontinue A Post Office</b>					
1. <input type="checkbox"/> Consolidate <input type="checkbox"/> Close		2. Effective Date: / /		3. Retain as Place Name? <input type="checkbox"/> Yes <input type="checkbox"/> No	
				4. Retain ZIP Code? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>5. New Administrative Post Office</b>		<b>6. Facility From Which Mail Will be Delivered (check all that apply)</b>			
a. Name (City, State, and ZIP Code)		a. <input type="checkbox"/> Main Office <input type="checkbox"/> Classified Station <input type="checkbox"/> Classified Branch <input type="checkbox"/> GPO			
b. County	c. Finance Number	b. New Last Line for Addresses (City, State and ZIP Code)			
d. Discontinuance Contact Name		c. Discontinuance Contact Name			
<input type="checkbox"/> <b>F. Discontinue ZIP Code</b>					
1. ZIP Code		2. Effective Date / /			
<input type="checkbox"/> <b>G. Amend/Rescind Postal Bulletin</b>					
1. PB Number		2. Date / /		3. Explain (Continue on reverse)	
<input type="checkbox"/> <b>H. Other Status Changes/Comments</b> (Continue on reverse if necessary)					
		<b>ZIP Code Translation Table</b>			
		From	To	From	To
<input type="checkbox"/> <b>I. Approval And Date (Signature and Date)</b>					
All requests MUST HAVE this Section completed.		District Mgr., CSS		HQ Mgr., PC Ops.	
District Mgr., AMS		BMC Mgr.		HQ Mgr., Priority Mail Network	
District Mgr., OPS		PMPC Mgr.		HQ Mgr., NDC Ops.	
District Mgr., P&D		Area Mgr., DPS		Mgr., Address Mgmt.	
PS Form <b>1362</b> , June 2008					

**439.4 Required Documentation****439.41 Delivery ZIP Code**

With each request for a delivery ZIP Code, the district manager must include a completed PS Form 1362 (see [Exhibit 439.323](#)) and PS Form 5401 (see [Exhibit 439.211](#)). Proposals for delivery ZIP Code changes or assignments should be processed and submitted throughout the year by the district of the territory in question. The district manager may submit delivery ZIP Code requests for approval on any date throughout the year.

The official implementation date to establish a delivery ZIP Code is July 1 of each year. It is recommended that delivery ZIP Code proposals be received in the area office by November 15 of the preceding year, and they must be received by the Office of Address Management no later than January 15 of the year of the proposed establishment. Proposals received at the Office of Address Management after January 15 will be deferred to the following year. Submission of all required information and materials by the above dates is essential to provide sufficient time for area and Headquarters review, public notification, and AMS file maintenance. All submitted materials must be originals.

**439.42 Post Office Box ZIP Code**

With each request for a PO box ZIP Code, the district manager must include a completed PS Form 1362 (see [Exhibit 439.323](#)) and PS Form 5402 (see [Exhibit 439.211](#)). The district manager may submit PO box ZIP Code requests for approval on any date throughout the year.

AMS managers should be familiar with the *Metro Plan* in order to assess the proper lead time necessary to prepare ZIP Code proposals for new PO box sections. When existing customers will be required to change their ZIP Codes or PO box numbers, allow 30 to 45 days between the announcement of an approved PO box ZIP Code and the implementation date.

**439.43 Shared ZIP Code**

With each request for a shared ZIP Code, the district manager must include a completed PS Form 1362 (see [Exhibit 439.323](#)) and PS Form 5403 (see [Exhibit 439.231](#)). The district manager may submit shared ZIP Code requests for approval on any date throughout the year.

**439.44 Unique ZIP Code**

With each request for a unique ZIP Code, the district manager must include a completed PS Form 1362 (see [Exhibit 439.323](#)) and PS Form 5404 (see [Exhibit 439.241](#)). The district manager may submit unique ZIP Code requests for approval on any date throughout the year. A letter of agreement from the firm or agency requesting the unique ZIP Code must be included in the proposal package. The letter must do the following:

- a. State that the firm or agency agrees to accept all mail addressed to the unique ZIP Code in bulk.
- b. Provide the address(es) to be used with the unique ZIP Code. All addresses must conform to the standards in Publication 28.
- c. Describe how and when the firm or agency plans to implement the unique ZIP Code.

- d. Describe expected volume, including whether this is new volume or mail currently being received at a different address.
- e. Agree to return all missorts and accountable mail in a timely manner.
- f. Agree that the firm or agency will forward their own mail.
- g. Agree that the ZIP Code will not be transferred to another firm or agency.

#### 439.45 **Postal Facility Status Change**

The AMS manager must report all ZIP Code status changes (including those resulting from Headquarters-approved retail facility closings or consolidations, a change of branch name, etc.) on PS Form 1362 (see [Exhibit 439.323](#)) and send it to the Office of Address Management. The effective date for postal facility changes is 30 days after the announcement is published in the *Postal Bulletin*.

#### 439.46 **Boundary Realignment**

With each request for a proposed boundary realignment affecting more than 25 percent of the total possible deliveries of the losing ZIP Code or over 500 possible deliveries of the losing ZIP Code (whichever is less), the district manager must include a completed PS Form 1362 (see [Exhibit 439.323](#)) and PS Form 5401 (see [Exhibit 439.211](#)). In the justification, the district manager must indicate whether he or she plans to survey customers after receiving approval for a potential realignment.

#### 439.5 **Authorization and Approval**

##### 439.51 **General**

All actions requiring PS Form 1362 (see [Exhibit 439.323](#)) will require the signature of the district AMS manager; the manager of Operations Programs Support; the manager of Processing and Distribution; and the district manager of Customer Service and Sales. All actions requiring the ZIP Code establishment documents (see [Exhibit 439.211](#), [Exhibit 439.22](#), [Exhibit 439.231](#), and [Exhibit 439.241](#)) must include all pertinent information on those documents. The proposal (including all letters, forms, and documentation) must be sent to the area manager of Delivery Programs Support for review and concurrence. The area office will forward the proposal to the Office of Address Management for final review and approval. All proposals sent to the Office of Address Management must be addressed as follows:

OFFICE OF ADDRESS MANAGEMENT  
UNITED STATES POSTAL SERVICE  
225 N. HUMPHREYS BLVD, STE 501  
MEMPHIS, TN 38188-1001

##### 439.52 **District**

The district manager, the plant manager, and district officials must not assign or change ZIP Codes without area and Headquarters review and approval. The district manager may not announce a 5-digit ZIP Code change until he or she has received written approval of the ZIP Code from the Office of Address Management.

**Exception:** See [439.32](#) for information on authorization for boundary realignments.

**439.53 Network Distribution Center (NDC)**

The NDC manager must review and approve each request for a unique ZIP Code that includes volumes in the machinable USPS Marketing Mail or Package Services categories before the district manager can submit the request to the area.

**439.54 Priority Mail Processing Center (PMPC)**

The PMPC manager must review and approve each request for a unique ZIP Code that includes volumes in the Priority Mail category before the district manager can submit the request to the area.

**439.55 Areas**

Managers of Delivery Programs Support are administratively responsible for coordination and review of 5-digit ZIP Code proposals within their areas of responsibility. Area officials must not assign or change ZIP Codes without the review and approval of the Office of Address Management.

**439.56 Headquarters**

The Office of Address Management is responsible for accurate and timely announcements of ZIP Code changes to internal Postal Service operations employees and customers by submitting articles to the *Postal Bulletin* entitled "Post Office Changes" and by notifying other Headquarters departments (e.g., notifying Business Mail Acceptance of all 3-digit ZIP Code changes).

**Note:** Shared and unique ZIP Code changes are not announced in the *Postal Bulletin*; however, the Office of Address Management will notify other Headquarters departments if approval of a shared or unique ZIP Code will have an effect on their operations.

The Office of Address Management will return approved or denied ZIP Code proposals to the appropriate area office for distribution to the district. Proposals that are denied will contain the reason for denial. If the requesting party wishes to appeal the decision, a letter of appeal may be sent through the district and area offices to the Office of Address Management. Address Management will review the appeal information and hold meetings internally and/or with the requesting party (as necessary) to make a final decision. Address Management is the final authority for the resolution of an appeal.

**439.6 Implementation****439.61 General**

Once headquarters approval is received for a ZIP Code assignment or change, the district manager must notify all district officials to proceed with implementation.

**Exception:** See [439.32](#) for information on authorization for boundary realignments.

**439.611 District Level**

At the district level, the AMS manager must coordinate implementation with the manager of Marketing, managers of Post Office Operations, postmasters, and In-Plant Support to ensure maximum cooperation of customers and local government officials.

439.612 **Local Mail Processing Managers**

The local mail processing managers must ensure that all distribution operations are prepared to respond to the use of the new ZIP Code.

439.613 **ZIP Code System Stability**

To foster stability in the ZIP Code system and correspond to production of Publication 65, the implementation date for delivery ZIP Code changes is July 1 of each year. The district manager must notify residents and local mailers between May 15 and June 1 that the ZIP Code has changed and will be effective July 1. The Office of Address Management can provide assistance with the notification effort. Residents should be asked to notify their correspondents of the change (including boundary realignments).

439.614 **File Maintenance**

The AMS manager must perform file maintenance in a timely manner between the April and May product cycle. The Office of Address Management will publish specific dates each year. The AMS database must be updated to ensure that duplicate addresses do not exist within a finance number for these new ZIP Codes.

439.615 **Effective Date**

Following Headquarters approval, PO box, shared, and unique ZIP Codes become effective as determined by the district manager.

439.62 **Three-Digit Realignment**

When a district is planning a 3-digit realignment, the AMS office must notify the area office and the Office of Address Management in writing by July 1 of the year before the expected implementation date. This requirement ensures that all affected postal operations managers are notified of the proposed 3-digit realignment in a timely manner. The Office of Address Management will advise the district throughout the process to ensure that all deadlines are met.

The actual proposal package must be received at the area office by October 15 and by the Office of Address Management no later than December 15 of the year before the expected implementation date. Proposals received by the Office of Address Management after the deadlines will be deferred to the following year.

**Note:** Except for the aforementioned dates, specific guidelines for 3-digit realignments are the same as the guidelines for delivery ZIP Code realignments found throughout this part.

## 44 Mail Preparation

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441 **Mail Preparation Operations**

Mail preparation operations are supported and greatly affected by the following factors:

- a. The makeup and handling of incoming collection mail from stations and branches, associate offices, collectors, and firms.

- b. The platform handling of such mail upon its arrival at the mail processing facility. The mail preparation operations encompass the following:
- (1) The staging of mail for subsequent processing based on class of mail, mail type, and postage payment method.
  - (2) The culling, facing, and canceling of different types of mail at the mail preparation unit.
  - (3) The staging of culled, faced, and canceled mail at mail preparation units for transport to applicable distribution and dispatch operations. Since the performance of the tasks described above significantly affects downstream operations, it is essential that each mail processing installation establish and maintain a carefully structured and well-managed mail preparation system. A well-run mail preparation operation is integral to the creation of a cost-efficient, service-effective mail processing system and, therefore, must be considered a high-priority management objective.

## 442 Mail Preparation Units

A mail preparation unit is where specific tasks are performed that facilitate the flow of mail to distribution or dispatch operations. Mail preparation operations in medium and large automated/mechanized P&DC/Fs are structured around a series of well-defined units. Each unit has primary responsibility for handling and processing a specific type and/or category of mail. The physical configuration, equipment usage, and staffing levels applicable to a particular type of operation (e.g., flats processing belt) may vary from plant to plant, depending upon differences in facility design, floor layout, volume, and mail mix. Pouches, sacks, hampers, and containers of originating mail from all sources should be separated according to shape (e.g., letters and flats), configuration (e.g., bundles, loose, faced), postage payment method (stamps, permit imprint, and meter), and staged or directed to the next unit or processing operation. (See Handbook PO-415, *Mail Preparation*, for further instructions.)

## 443 Endorsing, Canceling, and Postmarking

### 443.1 Endorsing

Only authorized endorsements (e.g., First-Class Mail<sup>®</sup>, Insured Mail, Certified Mail<sup>™</sup>, Military Ordinary Mail (MOM) labels) may be placed on mailpieces by postal employees. Endorsements of any type are never to be placed on philatelic mail.

### 443.2 Canceling

Render all stamps, except precanceled stamps, unusable at the point of origin. This is to be accomplished by cancellation or strike-through with daubers on stamps placed where canceling equipment is unable to reach. On philatelic mailpieces, only authorized cancellations must appear on the

item; no other marking of any type shall be placed on philatelic mail by a postal employee.

### 443.3 **Postmarking**

#### 443.31 **General**

Postmark mail on the address side as follows:

- a. Postmark showing full name of Post Office, two-letter state abbreviation, and ZIP Code. For USPS Marketing Mail, omit postmark if name of mailing office is shown in return address.
- b. Postmark the following types of mail showing the full name of Post Office, two-letter state abbreviation, ZIP Code, and date of mailing:
  - (1) Priority Mail Express.
  - (2) Registered Mail™ and COD.
  - (3) USPS (ordinary).
- c. Postmark the following types of mail showing full name of Post Office, two-letter state abbreviation, ZIP Code, date of mailing, and a.m. or p.m.:
  - (1) First-Class Mail (except Registered Mail).
  - (2) Priority Mail.
  - (3) Stamped cards and postcards.
  - (4) Business reply mail and meter reply cards, labels, and envelopes.
  - (5) Special handling.

#### 443.32 **Local Postmarking**

Local postmarking will be available at each Post Office. The rules for local postmarking are the same as the procedures in [443.31](#).

#### 443.33 **Backstamping**

Backstamping of mail is permitted on mis-sent mail only. *Mis-sent mail* is defined as mail received at Post Office “A” when it should have been sent to Post Office “B” (e.g., mail originated in Albany, NY, addressed to Tampa, FL, but was received in San Francisco, CA). Backstamping of forwarding mail is no longer required; the date will be applied by the Computerized Forwarding System II (CFS) unit when applying the new address label.

#### 443.34 **Backdating**

Backdating the postmark on mail is expressly forbidden -except where a specific written authorization is granted to provide philatelic treatment on a new stamp issue beyond the issuance date. Such authority is extended only when public demand for a specific first-day issue exceeds daily cancellation capability. Backdating causes several major problems. It jeopardizes the integrity of the postmark as a legal basis for determining individual or contractual compliance with statutory deadlines, and it decreases the value of cancellation dates as the basis for measuring service standard achievement.



## 444 **Equipment and Supplies**

### 444.1 **General**

Network Operations Management has authority to approve the kind and use of canceling and postmarking supplies. All canceling machine dies, die hubs, and hand postmarking and stamp canceling equipment must be Postal Service-furnished or approved before being used at postal installations.

### 444.2 **Canceling Equipment**

Canceling and postmarking equipment is used only for those purposes and functions for which specific authorization has been granted.

### 444.3 **Altering or Substituting Equipment**

Equipment may not be altered or substituted without prior written authorization.

### 444.4 **Black Ink**

For canceling and postmarking purposes, use only Postal Service-supplied black ink.

## 445 **Requisitioning Procedures**

All requisitions for postmarking and canceling equipment and repair parts must be prepared and submitted in conformance with established procedures and policies as set forth in Handbook AS-701, *Material Management*, and Publication 247, *Supply and Equipment Catalog*.

# 45 **Distribution**

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## 451 **Outgoing and Incoming Distribution**

*Outgoing mail* is mail received in local collections and from associate offices involved in the area mail processing plan. *Incoming mail* is received from other P&DCs from around the country for delivery in a given service area. Outgoing and incoming mail must be processed according to the established operating plan. This processing must be completed by established clearance times. Committed overnight mails must be distributed to ensure next-day delivery from the office of origin. The P&DC of origin will not dispatch mail without the required ADC ZIP Code distribution or without properly formatted and barcoded labels. After distribution, letter mail must always be dispatched in trays to facilitate automated sortation at the destination processing facility.

**452 Authorized Distribution****452.1 General**

The vice president, Area Operations, has the following responsibilities with regard to authorized distribution:

- a. Determines the authorized distribution and routing of all classes of mail originating in the area, and issues appropriate instructions.
- b. Determines requirements for installations in the area regarding the type and extent of mail distribution and the schemes and methods used.
- c. Authorizes or approves the authorization of any intraarea distribution changes.

**452.2 Outgoing Distribution**

Changes in the interarea distribution of managed mail for 2- and 3-day delivery must be coordinated between the areas involved, with concurrence from In-Plant Operations at Headquarters.

**453 Distribution Priorities**

Distribute mail by these priorities:

- a. Priority Mail Express.
- b. Priority Mail.
- c. First-Class Mail.
- d. Periodicals.
  - (1) Newspaper treatment Periodicals (marked "NEWS").
  - (2) All other Periodicals (marked "PER").
- e. USPS Marketing Mail.
- f. Package Services.

**454 Centralized and Decentralized Distribution**

Generally, the distribution of mail should be centralized at the main Post Office or central distribution facility. Plant managers and district managers may approve decentralization of distribution to delivery units (stations and branches) under the following conditions:

- a. It provides same-day delivery of preferential mail not attainable through the main Post Office or the central mail facility.
- b. Daily mail receipt of presorted First-Class Mail, Periodicals, and USPS Marketing Mail can be transported directly to the branch or station.
- c. Space is not available at the main Post Office or at the centralized distribution point.
- d. Station and branch clerks can be gainfully utilized during slack periods.
- e. Distribution of mail at delivery units is more economical.

## 455 **Types of Distribution**

### 455.1 **Manual Distribution**

*Manual distribution* is hand sorting of mail by ZIP Code or address into manual letter or flat mail cases, trays, containers, sacks, or pouches in order to group mail or packages of mail for a common destinating area.

### 455.2 **Mechanized Distribution**

*Mechanized mail distribution* increases operational efficiency through the use of sorting machines and enhances the use of employee skills. Distribution of mail on mechanized equipment such as multiposition letter sorting machines (MPLSMs), single-position letter sorting machines (SPLSMs), parcel sorting machines (PSMs), and sack sorting machines (SSMs) is based on ZIP Code, except for incoming secondary sort schemes.

### 455.3 **Automated Distribution**

*Automated distribution* of letter and flat mail is the optimal system and is preferred over both manual and mechanized methods. The finest depth of sort is received using the available automated equipment (e.g., multiline optical character reader (MLOCR), mail processing barcode sorter (MPBCS), delivery barcode sorter (DBCS), carrier sequence barcode sorter (CSBCS), etc.). Letters are processed and sorted on the MLOCRs by scanning the address on the letter, applying a base depth of sort barcode, and directing it to its proper destinating stacker. Letters processed by MPBCSs, DBCSs, and CSBCSs are sorted by reading the barcode printed on the envelope and directing it to its proper stacker. The Remote Barcoding System (RBCS) handles letters that could not be read by the MLOCR. Images of this nonreadable mail are electronically sent to a remote keying site where mail clerks key in the proper information to enable a modified barcode sorter or output subsystem (OSS) to apply the barcode that represents the best depth of sort for the address provided.

## 456 **Managed Mail Processing**

*Managed mail processing* (MMP) is a distribution system where First-Class Mail, for a specific ZIP Code span, is massed at an automated/mechanized facility for distribution and dispatch. Initially, originating Post Offices identify and distribute First-Class Mail for a state or a specific ZIP Code span that is to be transported to ADCs/AADCs in destination geographic areas beyond the range of overnight delivery. Processing at origin points requires separation of mail to destination distribution centers by automated, mechanized, or manual case distribution. ADCs/AADCs will, to the extent possible, use machines and process destinating managed mail on Tour II. This, however, does not preclude performance of necessary distribution on other tours to achieve service standard commitments. The prime objective and benefit of MMP is the reduction in secondary workload at origin Post Offices, primarily on the evening tour. Leveling of workloads results with the addition of day tours instituted at ADCs/AADCs. Sectional center facility workloads and total piece handlings are reduced because of expanded mechanized mail processing at

ADCs. Greater use of mail sorting equipment is reflected in improved productivity and makeup of directs.

## 457 **Scheme Distribution**

### 457.1 **General**

Scheme distribution is a systematic plan to move all classes of mail from originating office to destination office. ZIP Code, ZIP+4 code, Delivery Point Sequence (DPS) code, and general schemes are used to distribute mail to proper separations.

### 457.2 **City Schemes**

A city scheme is an official published list of elements of address for the distribution of incoming mail.

## 458 **National Color Code Policy for USPS Marketing Mail**

### 458.1 **Purpose of this Policy**

This policy is to ensure the timely processing, dispatch, and delivery of USPS Marketing Mail within established service standards.

- a. All outgoing, area distribution center (ADC), or sectional center facility (SCF) USPS Marketing Mail, regardless of where received (e.g., associate office, processing and distribution center, or other location) must be coded with the color that represents the day the mail is scheduled to be cleared.
- b. All other destinating USPS Marketing Mail must be coded with a delivery color that represents the scheduled day of delivery. Once you apply the color code, it remains on the mail until it is taken out for delivery. Apply the delivery color code as outlined in the specific facility portions of this policy.

### 458.2 **General Policies**

- a. Distribute all USPS Marketing Mail within the framework of the approved operating plan. The application of color codes to USPS Marketing Mail is based on the arrival of the mail being used in conjunction with the facility critical entry time. "Arrival at the facility" means the day and time the mail arrives on the Postal Service's property.
- b. If USPS Marketing Mail is mixed with a higher class of mail (e.g., First-Class Mail) in such a manner as it loses its identity, the USPS Marketing Mail must be considered upgraded and treated as the higher class of mail.
- c. If a holiday falls on a scheduled delivery day, apply the normal color code to allow for proper sequencing in any downstream operation.
- d. Color coding must not be the sole indicator used in evaluating what mail constitutes a plan failure (as related to mail condition reporting). Compliance with approved operating plan parameters must be the determining factor.

- e. There are no prohibitions against management agreements being made below the national level which accelerates the color coding and/or delivery expectations for any USPS Marketing Mail versus this policy.
- f. Remove color-code tags used to identify Clearance Day targets in outgoing, ADC, and SCF operations before you dispatch the mail to downstream operations. Keep the Delivery Day color codes with the mail until it is taken out for delivery, unless we note otherwise in this policy.
- g. Anytime USPS Marketing Mail is sent back upstream (backflowed) for delivery point sequence (DPS), automated processing, or other processing, the mail must retain the original color coding and delivery schedule as if it had remained in the downstream unit.
- h. Offices should make every effort to adhere to mailer-requested, in-home delivery dates. Do not deliver such mail earlier than the date the mailer has requested.

### 458.3 **Color-Coding Procedures**

Apply color codes to USPS Marketing Mail as outlined in the following sections, which are arranged by facility type and sortation level.

#### 458.31 **Network Distribution Centers**

##### 458.311 **Application of Color Codes**

The application of color codes to USPS Marketing Mail is based on the arrival of the mail being used in conjunction with the facility critical entry time. "Arrival at the facility" means the day and time the mail arrives on Postal Service property. Network Distribution Centers (NDCs) must develop local procedures to ensure that they maintain the correct color code for all mail, based on its arrival on the premises, even when such mail is entered into the various mechanized sorting systems.

##### 458.312 **Outgoing USPS Marketing Mail**

Code all outgoing USPS Marketing Mail with the 1-day color code that represents the day the mail is scheduled to be cleared. After you finish processing the mail, remove the Clearance Day tags used in outgoing operations before you dispatch to downstream operations and facilities.

##### 458.313 **Area Distribution Center or Sectional Center Facility Function**

If an NDC and another processing center share responsibility for performing the functions of an area distribution center (ADC) or sectional center facility (SCF) (i.e., a 115/185 operation) or the NDC is a designated ADC or SCF, code the mail with a 1-day color code indicating the day the operation should be cleared. Such color-code tagging must be consistent with the arrival of the mail on Postal Service premises, and not when it is extracted or identified from a mechanized operation. After processing is completed, the Clearance Day tags used in the ADC/SCF operation are to be removed prior to dispatch to downstream operations. If any further distribution is performed below the ADC/SCF level in the BMC, then the portion of these instructions applicable to a P&DC, Delivery Unit, etc., are to be applied, as appropriate. (See [Exhibit 458.313](#).)

Exhibit 458.313

**One-Day Clearance Matrix**

In accordance with [458.313](#), the following color-coding procedures must apply:

Receipt Day	Color Code	Clearance Day
Saturday	White	Sunday
Sunday	Blue	Monday
Monday	Orange	Tuesday
Tuesday	Green	Wednesday
Wednesday	Violet	Thursday
Thursday	Yellow	Friday
Friday	Pink	Saturday

When USPS Marketing Mail is discovered in a facility, after its initial receipt, without color codes or incorrectly identified with multiple color codes, and it cannot be reasonably determined what the color code should be, the following procedures must be followed:

- If the mail is identified with multiple color codes, then the oldest color code is assumed to be correct, even if the clearance/delivery date has passed.
- If mail is observed without any color code at all, then it is to be color coded with the same clearance/delivery color code as the oldest mail in the unit at the time of its discovery.
- If mail is observed without any color code at all, and there is no other mail in the unit at the time of its discovery, then it is to be color coded with today's clearance/delivery color code and treated as if it were delayed.

458.32 **Processing and Distribution Centers, Processing and Distribution Facilities, Mail Processing Facilities/Centers, and Customer Service Mail Processing Facilities**

The following color-coding procedures must apply in each of the designated operations:

- The application of color codes to USPS Marketing Mail is based on the arrival of the mail being used in conjunction with the facility critical entry time. Arrival at the facility is defined as the day/time the mail arrives on Postal Service property. These facilities must develop local procedures to ensure that they maintain the correct color code for all mail, based on its arrival on the premises, even when such mail is entered into mechanized sack sorting systems.
- All outgoing mail, ADC, SCF/Incoming Primary Mail, and carrier route mail must be color coded as shown in [Exhibit 458.320b](#) to indicate scheduled clearance 1 day after receipt at the facility.

Exhibit 458.320b

**One-Day Clearance Matrix**

Receipt Day	Color Code	Clearance Day
Saturday	White	Sunday
Sunday	Blue	Monday
Monday	Orange	Tuesday
Tuesday	Green	Wednesday
Wednesday	Violet	Thursday
Thursday	Yellow	Friday
Friday	Pink	Saturday

After processing is completed, the Clearance Day tags used in outgoing, ADC, SCF/Incoming Primary, and carrier route operations are to be removed prior to dispatch to downstream operations/facilities.

- c. The SCF/Incoming Primary USPS Marketing Mail addressed in paragraph [b](#) must be totally finalized and processed by the identified Clearance Day.
- d. Facilities which process 3-digit (SCF) USPS Marketing Mail only to the 5-digit level must color code that 3-digit USPS Marketing Mail for clearance 1 day after receipt at that facility, as listed in [Exhibit 458.320b](#). This mail must then be dispatched without color codes, and the proper delivery color code must be applied upon receipt at the facility that performs the secondary distribution.
- e. All USPS Marketing Mail which must subsequently receive incoming secondary distribution at the facility performing the ADC or SCF operation must receive a 2-day color code based upon its arrival or upon its extraction and identification from its initial distribution-operation (either the ADC or SCF operation) using the 2-day matrix in [Exhibit 458.320e](#):

Exhibit 458.320e

**Two-Day Delivery Matrix**

Arrival/Extraction Day	Color Code	Delivery Day
Saturday	Orange	Tuesday
Sunday	Orange	Tuesday
Monday	Green	Wednesday
Tuesday	Violet	Thursday
Wednesday	Yellow	Friday
Thursday	Pink	Saturday
Friday	Blue	Monday

- f. In situations wherein ADC and SCF mail is, for operational reasons, commingled in the same processing operation, all such mail extracted for the local SCF must be color coded for a scheduled delivery day, also using the 2-day delivery matrix in [Exhibit 458.320e](#).
- g. When USPS Marketing Mail with mailer-requested, in-home delivery dates is retained at the facility for DPS processing, a delivery color code reflecting the last requested in-home delivery date may be

affixed, provided the mail is segregated and the in-home delivery day identification placards accompany the mail.

- h. When USPS Marketing Mail is discovered in a facility, after its initial receipt, without color codes or incorrectly identified with multiple color codes, and it cannot be reasonably determined what the color code should be, the following procedures must be followed:
  - (1) If the mail is identified with multiple color codes, then the oldest color code is assumed to be correct, even if the clearance/delivery date has passed.
  - (2) If mail is observed without any color code at all, then it is to be color coded with the same clearance/delivery color code as the oldest mail in the unit at the time of its discovery.
  - (3) If mail is observed without any color code at all, and there is no other mail in the unit at the time of its discovery, then it is to be color coded with today's clearance/delivery color code and treated as if it were delayed.

#### 458.33 **Delivery Distribution Centers/Units**

- a. The application of color codes to USPS Marketing Mail is based on the arrival of the mail being used in conjunction with the facility critical entry time. Arrival at the facility is defined as the day/time the mail arrives on Postal Service property. These facilities must develop local procedures to ensure that they maintain the correct color code for all mail, based on its arrival on the premises.
- b. All outgoing mail received from a mailer and destinating carrier route mail must be color coded as shown in [Exhibit 458.33b](#) to indicate scheduled clearance 1 day after receipt at the facility.

Exhibit 458.33b

#### **One-Day Clearance Matrix**

Receipt Day	Color Code	Clearance Day
Saturday	White	Sunday
Sunday	Blue	Monday
Monday	Orange	Tuesday
Tuesday	Green	Wednesday
Wednesday	Violet	Thursday
Thursday	Yellow	Friday
Friday	Pink	Saturday

After processing is completed, the Clearance Day tags are to be removed prior to dispatch.

- c. All other destinating USPS Marketing Mail received at Delivery Distribution Centers/Units (DDC/DDU), including drop shipment mailings, must be color coded as shown in [Exhibit 458.34c](#) for 2-day delivery.



Exhibit 458.33c

**Two-Day Delivery Matrix**

Receipt Day	Color Code	Delivery Day
Saturday	Orange	Tuesday
Sunday	Orange	Tuesday
Monday	Green	Wednesday
Tuesday	Violet	Thursday
Wednesday	Yellow	Friday
Thursday	Pink	Saturday
Friday	Blue	Monday

- d. DDCs and DDUs which perform secondary distribution for delivery units must also apply a 2-day delivery color code as shown in [Exhibit 458.33c](#) to that mail upon its arrival from upstream facilities.
- e. Whenever a delivery day color code is applied, it must remain on the mail until the mail is taken out by the carrier at the delivery unit.
- f. When USPS Marketing Mail is discovered in a DDC/DDU, after its initial receipt, without color codes or incorrectly identified with multiple color codes, and it cannot be reasonably determined what the color code should be, the following procedures must be followed:
  - (1) If the mail is identified with multiple color codes, then the oldest color code is assumed to be correct, even if the clearance/delivery date has passed.
  - (2) If mail is observed without any color code at all, then it is to be color coded with the same clearance/delivery color code as the oldest mail in the unit at the time of its discovery.
  - (3) If mail is observed without any color code at all, and there is no other mail in the unit at the time of its discovery, then it is to be color coded with today's clearance/delivery color code and treated as if it were delayed.

458.34 **Delivery Units, including Post Offices, Stations, and Branches**

- a. All outgoing mail received from a mailer must be color coded as shown in [Exhibit 458.34a](#) to indicate scheduled clearance 1 day after receipt at the facility.

Exhibit 458.34a

**One-Day Clearance Matrix**

Receipt Day	Color Code	Clearance Day
Saturday	White	Sunday
Sunday	Blue	Monday
Monday	Orange	Tuesday
Tuesday	Green	Wednesday
Wednesday	Violet	Thursday
Thursday	Yellow	Friday
Friday	Pink	Saturday

- b. After processing is completed, the Clearance Day tags used in outgoing operations are to be removed prior to dispatch.
- c. Delivery units not performing secondary distribution will receive USPS Marketing Mail from the distribution facility with a color code attached. This color code must remain on the mail until taken out for delivery.
- d. Delivery units doing secondary distribution, receiving USPS Marketing Mail requiring secondary distribution (including drop shipment mailings and mail received directly from mailers) must apply the 2-day delivery color code shown in [Exhibit 458.34d](#) upon receipt of the mail. This color code must remain on the mail until taken out for delivery.

Exhibit 458.34d

**Two-Day Delivery Matrix**

Receipt Day	Color Code	Delivery Day
Saturday	Orange	Tuesday
Sunday	Orange	Tuesday
Monday	Green	Wednesday
Tuesday	Violet	Thursday
Wednesday	Yellow	Friday
Thursday	Pink	Saturday
Friday	Blue	Monday

- e. Delivery units receiving mailer-prepared carrier route presort mail from upstream postal facilities or directly from mailers must apply the 2-day delivery color code shown in [Exhibit 458.34d](#) upon receipt of the mail. This color code must remain on the mail until taken out for delivery.
- f. If a holiday falls on a scheduled delivery day, the delivery color code must remain unchanged and must be used to properly sequence the mail on the next delivery day. On the day following the holiday, the mail color coded for the holiday is not considered delayed, but is worked prior to the mail with the current day's color.
- g. Delivery units may receive USPS Marketing Mail with a mailer-requested delivery date later than the scheduled color-coded day. This mail is to be color coded or re-color coded at the delivery unit to match the last requested in-home delivery date, to comply with the mailer's request.
- h. Delivery units may receive USPS Marketing Mail with a mailer-requested delivery date earlier than the color-coded delivery day. Although this mail must remain color coded for delivery as outlined in these procedures, all reasonable efforts should be made to deliver this mail within the mailer's requested delivery window.
- i. Delivery units may receive USPS Marketing Mail with a mailer-requested delivery date that has already passed. Although this mail must remain color coded as outlined in these procedures, the decision regarding the delivery or disposition of this mail must be consistent with the current national policy on this subject.
- j. When USPS Marketing Mail is discovered within a delivery unit (function 2, function 4, and individual zones may be considered as

separate units) after its initial receipt, without color codes or incorrectly identified with multiple color codes, and it cannot be reasonably determined what the color code should be, the following procedures must be followed:

- (1) If the mail is identified with multiple color codes, then the oldest color code is assumed to be correct, even if the clearance/delivery date has passed.
- (2) If mail is observed without any color code at all, then it is to be color coded with the same clearance/delivery color code as the oldest mail in the unit at the time of its discovery.
- (3) If mail is observed without any color code at all, and there is no other mail in the unit at the time of its discovery, then it is to be color coded with today's clearance/delivery color code and treated as if it were delayed.

## 459 Dispatch and Routing Concepts

Distribution Networks is required to provide a minimum of two dispatches for each destination made:

- a. An advance dispatch is used to send a volume of mail to the destination office as an accommodation to allow advance distribution and prevent an excessive volume of mail from being received at the critical entry time.
- b. A dispatch of value, or a "last chance" routing, reflects the latest time at which mail can be dispatched from the originating facility and arrive at the destinating facility prior to the appropriate critical entry time.
- c. Additional dispatches will be provided when justified by volume or other operational considerations. National Air and Surface System (NASS) produces a variety of reference and operation reports. NASS products used by a facility depend on type, size, and function. The supervisor, Networks at Distribution Networks, with the manager of In-Plant Support, Operations Support, at the mail processing facility, will determine the type of NASS reports to be used. The manager of Distribution Networks at the area, together with the plant manager of the P&DC, is responsible for resolving all disagreements between transportation, distribution networks, and mail processing facilities.
- d. Further information is available in Postal Service, Handbook M-22, *Dispatch and Routing Policies*.

# 46 Plant Load Operations

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## 461 Definitions

### 461.1 Plant Loading

Plant loading is an operation in which the Postal Service receives mail at a mailer's plant and transports it to bypass handling that otherwise would be

required at one or more Postal Service facilities. Plant loads are authorized when they benefit the Postal Service (see [463](#)).

#### 461.2 **Expedited Plant-Load Shipment**

An expedited plant-load shipment is an operation in which an authorized plant-load mailer receives additional authorization to transport a plant-loaded shipment at the mailer's expense to destination Postal Service facilities where the mail is deposited. Under an expedited plant-load shipment authorization, the Postal Service verifies the mail for presort and postage at the mailer's plant, and postage is calculated from and paid at the Post Office where the mailer is authorized to plant load. DMM 705.15.4 contains mailer instructions for obtaining an expedited plant-load shipment authorization.

#### 461.3 **Collection**

Collection of mail is an operation in which the Postal Service transports mail from a mailer's plant or other authorized non-Postal Service location to the local Post Office or other designated local acceptance point. Unlike plant-loaded mail, collection of mail generally does not include any mail that bypasses a handling or requires a postage statement, except under [462](#).

#### 461.4 **Mailer's Plant and Mailings**

##### 461.41 **Mailer's Plant**

The mailer's plant is the non-Postal Service location where the mail is loaded onto transportation provided by the Postal Service.

##### 461.42 **Detached Mail Unit**

A detached mail unit is an area in a mailer's facility where Postal Service employees perform mail verification, acceptance, dispatch, and other Postal Service functions.

##### 461.43 **Plant-Loaded Mailings**

Plant-loaded mailings consist of mail from one mailer or the combined mailings of two or more mailers loaded into one or more vehicles and accepted by the Postal Service at the mailers' plants when:

- a. A single postage statement is prepared and submitted by the mailers if required for each mailing;
- b. Proper postage is affixed to each item; or
- c. An alternative method of paying postage using a permit imprint (e.g., manifest mailing) is used, and a single postage statement and a manifest covering the mailing are prepared and submitted by the mailer.

##### 461.44 **Mixed Classes of Mail**

A mailer may combine Periodicals, USPS Marketing Mail, and Package Services in a single vehicle if the mailings are physically separated, a postage statement is submitted for each mailing, and the service standards are met for each class of mail combined in the vehicle or trailer.

- 461.5 **Transportation Service Area**
- 461.51 **First-Class Mail**  
The service area for plant-loaded First-Class Mail is the service area of the sectional center facility (SCF) in which the mailer's plant is located.
- 461.52 **Periodicals**  
The service area for plant-loaded Periodicals is the service area of the SCF or area distribution center (ADC) in which the mailer's plant is located.
- 461.53 **USPS Marketing Mail and/or Package Services**  
The service area for plant-loaded USPS Marketing Mail and/or Package Services is the service area of the network distribution center (NDC) or auxiliary service facility (ASF) in which the mailer's plant is located.
- 461.54 **Intra-District Area Plant Loads**  
*Intra-district area plant loads* are vehicle movements of mail that originate at the mailer's plant and destinate to a Postal Service facility located within the district serving the mailer's plant. Handling at the local Post Office or other local acceptance facility is bypassed.
- 461.55 **Inter-District Area Plant Loads**  
*Inter-district area plant loads* are vehicle movements of mail that originate at the mailer's plant and destinate to a mail processing facility located outside the service area of the district serving the mailer's plant. Handling at one or more intermediate processing facilities is bypassed.
- 461.6 **Transportation Equipment**
- 461.61 **Highway Transportation Vehicle**  
*A highway transportation vehicle* is a vehicle owned or leased for any term by the Postal Service or provided by a Postal Service highway transportation contractor for the transportation of mail exclusively over highways.
- 461.62 **Rail Transportation Vehicle**  
*A rail transportation vehicle* is a vehicle provided by a Postal Service rail transportation contractor for the transportation of mail in whole or in part by rail.
- 461.7 **Transportation Definitions**
- 461.71 **Bobtailing**  
*Bobtailing* is the movement of a tractor without a trailer to or from a mailer's plant.
- 461.72 **Deadheading**  
*Deadheading* is the movement of a highway or rail transportation vehicle to or from a mailer's plant without transporting any mail.
- 461.73 **Waiting/Holding**  
*Waiting/holding* occurs when a vehicle waits or is held at a mailer's plant for mail to be loaded into the vehicle.

**461.74 Spotting**

*Spotting* is the activity of a driver with a truck-tractor, other than delivery or pickup, to reposition trailers to and from loading docks on the mailer's premises.

**462 Procedures for Authorization of Plant Loads****462.1 Filing Application**

A mailer requesting plant load must complete PS Form 3815, *Plant-Load Authorization Application, Worksheet, and Agreement*, and submit it to the postmaster of the Post Office serving the mailer's plant. The local postmaster reviews the application, completes the applicable sections, and forwards it to the district manager, Customer Service and Sales.

**462.2 Action by District****462.21 General**

Each district manager, Customer Service and Sales, must establish a cross-functional district plant-load committee to review plant-load applications and to address plant-load issues within the district.

**462.22 Intra-District Area**

After either approving or disapproving the application, the district manager sends a copy to the area manager, Distribution Networks, as information only. The district manager approves an application for an intra-district area plant load if:

- a. It meets the requirements listed in [462.1](#).
- b. The manager, Distribution Networks, confirms that transportation equipment is available in accordance with [463.12](#).

**462.23 Inter-District Area**

After recommending either approval or disapproval of the application, the district manager forwards the application to the area manager, Distribution Networks, for action. The district manager should recommend approval of an application for an inter-district area plant load if:

- a. It meets the requirements of [462.32](#).
- b. The manager, Distribution Networks, confirms that transportation equipment is available in accordance with [463.12](#).

**462.3 Action by Area Manager, Distribution Networks****462.31 Intra-District Area**

The area manager, Distribution Networks, reviews information copies of intra-district area plant-load applications authorized by district managers, Customer Service and Sales, to ensure compliance with Postal Service standards and to ensure the most efficient transportation is used. Any noncompliance with Postal Service standards must be brought to the attention of the district manager who approved the application.

**462.32 Inter-District Area**

The area manager, Distribution Networks, who serves the area where the mailer's facility is located approves an application for an inter-district area plant load if it meets the requirements in [463.2](#). The authorizing manager must notify the destination area manager, Distribution Networks, of the approval in writing. The application is denied if the requirements of [463.2](#) are not met.

**462.4 Notification of Action to Mailer****462.41 General**

Each official who acts on an application must do so within 5 business days of receipt. The district manager must promptly notify the mailer in writing of the final action taken. If the application is denied, the manager must notify the mailer, specifying the reasons for the denial and informing the mailer of the right to appeal the denial.

**462.42 Appeal Rights**

The applicant has appeal rights. The applicant must be notified in the letter of denial of the right and procedures to appeal the decision. If an application for plant load is denied and it is subsequently determined that the denial is due to errors in the original application, the mailer may appeal to the authorizing official in writing. The authorizing official may require the mailer to complete a new application or submit the corrected information in writing as an addendum to the original. The mailer may also appeal to and work with the authorizing officials to correct any deficiency and thus justify reconsideration and/or approval of the plant-load application within applicable standards and guidelines.

**462.43 Appeal to Higher Authority**

If the area manager, Distribution Networks, or district manager, Customer Service and Sales, denies the application, the mailer may appeal in writing through their local postmaster to the vice president, Area Operations, for the area office in which the mailer's plant is located. A mailer may also appeal a decision of a field manager to revoke an existing plant-load agreement. Such an appeal must be filed with the postmaster, within 10 business days of the date of the mailer's receipt of the notice of denial. The mailer must specify in the appeal the reasons why the application should be approved. The postmaster sends the file and all pertinent information relating to the respective appeal to the vice president, Area Operations, for review. The decision of the vice president, Area Operations, must be promptly transmitted in writing to the mailer and copied to the district manager, Customer Service and Sales. The decision of the vice president, Area Operations, is final and binding.

**462.5 Commencement of Operations**

The application is approved if it meets all the requirements in [463](#) for either intra-district or inter-district area plant loads. If the application is approved and the mailer wants plant-load operations, the mailer must enter into a plant-load agreement with the Postal Service. Plant-load operations may

begin as specified in the agreement once the application is approved and the mailer enters into the agreement.

#### 462.6 **Failure to Meet Requirements**

The local postmaster of the Post Office serving the mailer's plant is responsible for monitoring plant-load operations and coordinating with the district plant-load committee. If a mailer fails to meet the terms agreed to in the plant-load agreement, the district plant-load committee must reevaluate the plant-load authorization. See Handbook PO-512, *Plant Loading Authorization and Procedures Guidelines*.

### 463 **Requirements for Approval of Plant-Load Applications**

#### 463.1 **Intra-District Area**

##### 463.11 **General**

An application for an intra-district area plant load is approved by the district manager if transportation equipment is available (see [463.12](#)) and a net cost-savings to the Postal Service is demonstrated under Alternative 1 (see [463.13a.](#)), Alternative 2 (see [463.13b.](#)), or Alternative 3 (see [463.13c.](#)).

##### 463.12 **Transportation Availability**

As determined by the manager, Transportation and Networks, transportation equipment must be available to transport the mail to the NDC, ASF, ADC, or SCF in the service area of the mailer's plant. Authorizations will not be granted unless transportation is available.

##### 463.13 **Net Cost-Savings**

The plant load must result in a net cost-savings to the Postal Service. A net cost-savings can be demonstrated under Alternative 1, Alternative 2, or Alternative 3.

- a. *Alternative 1: Minimum Volume and Maximum Mileage.* The volume of mail to be plant loaded must be at least 50 percent of a vehicle's capacity by weight or cube (a minimum of 23,000 pounds or 1,600 cubic feet), and the mileage from the mailer's plant to the destination Postal Service facility must be 150 miles or less in one direction. For mail verified and accepted at a mailer's plant, the Postal Service may allow mailings verified at the plants of two or more mailers located in the same service area to be combined to meet the minimum volume requirement. For mail verified and accepted at the business mail entry unit of the origin office the minimum volume requirement must be met by the mailings of only one mailer. (See [464.23](#) for requirements for verification at a Postal Service facility.)
- b. *Alternative 2.* If the mailer does not meet the criteria in Alternative 1, a net cost-savings to the Postal Service must be demonstrated using the cost analysis worksheet on PS Form 3815.
- c. *Alternative 3.* If the mailer does not satisfy the criteria in either Alternative 1 or Alternative 2, the plant-load criteria may still be met if the local origin Postal Service facility is operating at or near its mail



processing capacity for the type of mail to be plant loaded. The local manager, Transportation and Networks, after consulting with In-Plant Support, determines whether a facility is at or near its mail processing capacity and recommends whether to approve the plant load in such cases.

463.14 **Periodic Review**

Intra-district plant-load authorizations must be reviewed every 4 years to determine whether a net cost-savings to the Postal Service is still demonstrated under Alternative 1 (see [463.13a.](#)), Alternative 2 (see [463.13b.](#)), or Alternative 3 (see [463.13c.](#)). If the plant load is authorized under Alternative 3 and it is subsequently determined that the local origin facility is operating below its mail processing capacity for the class or type of mail to be plant loaded, the district manager must rescind the plant-load authorization.

463.2 **Inter-District Area**

463.21 **General**

An application for an inter-district area plant load is approved by the area manager, Distribution Networks, if transportation equipment is available (see [463.22](#)) and a net cost-savings to the Postal Service is demonstrated under Alternative 1 (see [463.13a.](#)), Alternative 2 (see [463.13b.](#)), or Alternative 3 (see [463.13c.](#)).

463.22 **Transportation Availability**

Transportation must be available to transport the mail to the NDC, ASF, ADC, or SCF outside the Postal Service facility's service area in which the mailer's plant is located. The application must not be granted until additional transportation is obtained.

463.23 **Net Cost-Savings**

The plant load must result in a net cost-savings to the Postal Service. A net cost-savings can be demonstrated under Alternative 1 (see [463.23a.](#)), Alternative 2 (see [463.23b.](#)), or Alternative 3 (see [463.23c.](#))

a. *Alternative 1: Minimum Volume and Maximum Mileage.*

- (1) *Minimum Volume:* The volume of mail to be plant loaded must be at least 60 percent of a vehicle's capacity by weight or cube (a minimum of 28,000 pounds or 2,000 cubic feet). Mailings of two or more mailers located in the same service area may be combined in the same vehicle to make up the minimum volume.
- (2) *Maximum Mileage for Highway*
  - (a) If the plant-loaded transportation is by highway and bypasses the origin SCF and at least one NDC, ASF, or ADC, the distance from the mailer's plant to the destination Postal Service facility must be 275 miles or less in one direction.
  - (b) If the plant-loaded transportation is by highway and bypasses only the origin SCF, the distance from the

mailer's plant to the destination Postal Service facility must be 150 miles or less in one direction.

- (c) There is no mileage criterion for plant-loaded transportation by railroad or water.
- b. *Alternative 2.* If the mailer does not meet the criteria in Alternative 1, a net cost-savings to the Postal Service must be demonstrated using the cost analysis worksheet on PS Form 3815.
- c. *Alternative 3.* If the mailer does not satisfy the criteria in either Alternative 1 or Alternative 2, the plant-load criteria may still be met if the local origin Postal Service facility is operating at or near its mail processing capacity for the type of mail to be plant loaded. The local manager, Transportation and Networks, after consulting with In-Plant Support, determines whether a facility is at or near its mail processing capacity and recommends whether to approve the plant load in such cases.

#### 463.24 **Periodic Review**

Inter-district plant-load authorizations must be reviewed every 4 years to determine whether a net cost-savings to the Postal Service is still demonstrated under Alternative 1 (see [463.23a.](#)), Alternative 2 (see [463.23b.](#)), or Alternative 3 (see [463.23c.](#)). If the plant load is authorized under Alternative 3 and it is subsequently determined that the local origin facility is operating below its mail processing capacity for the class or type of mail to be plant loaded, the area manager, Distribution Networks, must rescind the plant-load authorization.

### 464 **Verification and Collection of Postage**

#### 464.1 **General**

All plant-loaded mail must be verified, and postage and fees must be collected in accordance with DMM and POM standards, Handbook DM-109, *Business Mail Acceptance*, and Handbook DM-103, *Official Mail*.

#### 464.2 **Verification of Intra-District Area Plant Loads**

##### 464.21 **General**

Intra-district area plant-loaded mail must be verified at the mailer's plant or at a Postal Service facility within the origin district as authorized by the district manager.

##### 464.22 **Verification at the Mailer's Plant**

Intra-district area plant-loaded mail must be verified at the mailer's plant by a clerk qualified to do verification and acceptance unless authorization to verify mail at a Postal Service facility within the origin district is granted under [464.1.](#)

##### 464.23 **Verification at Postal Facility**

Authorization to verify mail at the origin NDC, ASF, or SCF may be granted only if all the following conditions are met:

- a. There is no detached mail unit (DMU) at the mailer's plant.

- b. The mailer is located within the service area of the NDC, ASF, or SCF where verification is to take place.
- c. Each vehicle contains the mail of only one mailer.
- d. Each vehicle contains no more than five mailings, and each mailing is physically separated.
- e. If a postage statement must be completed, the original must accompany the corresponding mailing in the vehicle. Where a single mailing is contained in more than one vehicle, a separate original postage statement must accompany each vehicle for the segment of the mailing contained in each vehicle.
- f. If an alternative method of paying postage using permit imprint (e.g., manifesting) is used, an original of the proper postage statement and a manifest must accompany each vehicle if there is only one mailing in the vehicle or one manifest for each mailing segment in the vehicle. Where a single mailing is contained in more than one vehicle, a separate original postage statement and manifest must accompany each vehicle for each mailing segment.
- g. The mailer must keep a plant-load control log containing the following information:
  - (1) Copy of each postage statement (sequentially numbered) accompanying plant-loaded mail.
  - (2) Number for each vehicle transporting mail.
  - (3) Name of NDC, ASF, or SCF verifying mail.
- h. The mail can be physically verified at the NDC, ASF, or SCF. Therefore, the mailing cannot be shrinkwrapped, stretchwrapped, or otherwise prepared so that a presort verification cannot be done.

**464.24 Placarding Requirements for Verification at Postal Facility**

If mail is to be verified at the origin NDC, ASF, or SCF, the following requirements apply:

- a. Before the vehicle leaves the mailer's plant, the mailer must place on the inside wall near the right rear door of the trailer a distinctive placard provided by the Postal Service to indicate that verification is required. The manager, Distribution Networks, or designee must notify the driver not to pick up the trailer unless this placard is in the vehicle. The mailer may place a second placard on the outside of that trailer door.
- b. The requirements of this section and corrective actions must be met to ensure revenue protection and collection of postage and fees prior to the vehicle being transported from the mailer's plant, except as provided for official mail in the DMM. [Exhibit 464.24](#) provides an example of a placard that can be used for this purpose. Reproduce the placard locally as required.

Exhibit 464.24

**Sample Verification Required Placard****464.25 Corrective Action**

If intra-district area plant-loaded mail fails verification at a Postal Service facility, the mailer has the following two options:

- a. The mailer pays the applicable next-higher rate on that portion of the mailing estimated to be improperly prepared.
- b. Within 24 hours, the mailer either transports the mailing or arranges for the Postal Service to transport the mailing to the mailer's plant, at the mailer's expense (see [466](#)). The mail must be reworked to comply with the applicable mailing standards for its class. If the mailer does not transport the mail or request transportation for it within 24 hours, the mailer must reimburse the Postal Service for detention in accordance with 466.

**464.3 Verification of Inter-District Area Plant Loads**

Inter-district plant-loaded mail must be verified, sealed, placarded, and recorded in accordance with Handbook PO-512 at the mailer's plant in a Postal Service-approved DMU by a clerk qualified to do verification procedures.

**464.31 Detached Mail Unit Requirements**

The DMU must be separate from the mailer's activities, in an enclosed, secure, and safe work area with a telephone. The Postal Service must approve the DMU work area.

**464.4 Payment of Postage and Fees**

The mailer must pay postage and fees for plant-loaded mail to the origin Post Office before the vehicle is transported from the mailer's plant, except under 464 and current DMM policy.

**465 Preparation Requirements for Plant-Loaded Vehicles****465.1 Intra-District Area Plant Loads**

Intra-district area plant-loaded vehicles must fill 50 percent or more of a vehicle's capacity by weight or cube (a minimum of 23,000 pounds and/or 1,600 cubic feet).

**465.2 Inter-District Area Plant Loads****465.2.1 Vehicles Containing One Mailing**

Mailers must prepare inter-district area plant-loaded vehicles containing one mailing under the following requirements for the proper class or type of mail:

**a. First-Class Mail and Periodicals**

- (1) When there is enough mail to fill 60 percent or more of a vehicle's capacity by weight or by cube (a minimum of 28,000 pounds and/or 2,000 cubic feet) addressed to the same SCF service area, the mailer must prepare a direct vehicle for that SCF.
- (2) When, after making up all possible SCF vehicles, there is enough mail to fill 60 percent or more of a vehicle's capacity by weight or by cube (a minimum of 28,000 pounds and/or 2,000 cubic feet) addressed to the same area distribution center (ADC) service area, the mailer must prepare a direct vehicle for that ADC.
- (3) The Postal Service transports all mail remaining, using appropriate transportation to the facility selected by Distribution Networks.
- (4) The mailer agrees to withhold all mail for local processing and to comply with local instructions for loading and dispatching of mail in accordance with Handbook PO-512.

**b. USPS Marketing Mail and Package Services**

- (1) When there is enough mail to fill 60 percent or more of a vehicle's capacity by weight or by cube (a minimum of 28,000 pounds and/or 2,000 cubic feet) addressed to the same SCF service area, the mailer must prepare a direct vehicle for that SCF.
- (2) When, after making up all possible SCF vehicles, there is enough mail to fill 60 percent or more of a vehicle's capacity by weight or by cube (a minimum of 28,000 pounds and/or 2,000 cubic feet) addressed to the same NDC or ASF service area, the mailer must prepare a direct vehicle for that NDC or ASF.
- (3) All mail remaining after all the above preparation requirements are met is transported by the Postal Service, using appropriate

transportation, to the Postal Service facility selected by Distribution Networks.

- (4) The mailer agrees to withhold all mail for local processing and to comply with local instructions for loading and dispatch of mail in accordance with Handbook PO-512.

#### 465.22 **Vehicles Containing Two or More Mailings**

Mailers must prepare inter-district plant-loaded vehicles containing two or more mailings under the following requirements for the proper class or type of mail:

- a. Two or more mailings, which independently have insufficient volume to require destination vehicles to be prepared, may be combined to make up an origin vehicle without meeting the requirements of 465.22b.
- b. Two or more mailings, which independently have sufficient volume to require destination vehicles to be prepared, must meet the preparation requirements described below when combined.
  - (1) When there is enough mail to fill 60 percent or more of a vehicle's capacity, by weight or by cube (a minimum of 28,000 pounds and/or 2,000 cubic feet), addressed to the same ADC service area, the mailer must prepare a direct vehicle for the ADC.
  - (2) When there is enough mail to fill 60 percent or more of a vehicle's capacity, by weight or by cube (a minimum of 28,000 pounds and/or 2,000 cubic feet), addressed to the same NDC or ASF service area, the mailer must prepare a direct vehicle for that NDC or ASF.
  - (3) The mailer agrees to withhold all mail for local processing and to comply with local instructions for loading and dispatch of mail in accordance with Handbook PO-512.
  - (4) The Postal Service transports the remaining mail, using appropriate transportation, to the facility selected by Distribution Networks.

#### 465.3 **Determination of Vehicle Makeup Requirements**

The makeup requirements for plant-loaded vehicles are determined by the destination of the mailings accepted by the Postal Service at the mailer's plant. When possible, mailers should combine mailings in vehicles as a means of preparing the finest destination vehicles possible.

#### 465.4 **Corrective Action**

If a plant-loaded mailing does not meet the vehicle preparation requirements for plant-loaded vehicles as required in [465.21](#) or [465.22](#), the mailer has the following two options:

- a. Rework the mailing so that it complies with the applicable make-up requirements for plant-loaded vehicles as required in [465.21](#) or [465.22](#). If the mailing is verified for presort, mail makeup, and postage payment purposes and is accepted as mail at the mailer's plant, and then it is determined that the vehicle preparation requirements were not met, the mailer must choose this option and rework the mailing. Vehicles must

not be dispatched from the plant until the vehicle preparation requirements are met.

- b. Transport the mailing at the mailer's expense to a Postal Service facility within the origin service area designated by the origin postmaster and with the capability to process that class of mail. If this option is chosen, all applicable postage statements must be submitted with the mailings. The origin postmaster must notify the designated Postal Service facility in advance that the mailer has chosen to transport the mail at its own expense and is to enter the mailing at that facility. The mailing must be verified at the designated Postal Service facility for proper presort and mail makeup for the class of mail and for postage payment purposes. The designated Postal Service facility completes the Post Office part of the postage statements after the mailing is verified and accepted and returns the postage statements to the origin Post Office, where postage and fees must be paid.

## 466 Reimbursement for Non-Postal Services

### 466.1 General

The Postal Service must obtain reimbursement from mailers for non-postal services furnished by the Postal Service in providing plant-load service only as authorized in [466.2](#) through [466.5](#).

### 466.2 Detention of Trailers

#### 466.21 General

The Postal Service must obtain reimbursement under [466.22](#) through [466.25](#) from plant-load mailers when trailers furnished by the Postal Service to provide plant-load service are detained by some action by the mailer.

#### 466.22 Request to Detain Trailers

The procedure for making a request to detain trailers is as follows:

- a. Plant-load mailers wanting to detain trailers longer than the time necessary to load them must make a request to the Postal Service at least 24 hours in advance of the requested date and time of the trailer's arrival. The mailer must agree to reimburse the Postal Service for the cost of detaining the trailers. The Postal Service must approve the request to detain trailers before the trailers are sent to the mailer's plant.
- b. If the mailer does not submit a timely request to detain trailers but detains them longer than the time necessary to load them, the mailer must reimburse the Postal Service for the cost of detaining the trailers.

#### 466.23 Nonreimbursable Detention Period

Mailers who submit timely requests to detain trailers may do so for 24 hours without reimbursing the Postal Service for detention. The nonreimbursable period begins when the trailer arrives at the mailer's plant or at the date and time at which the mailer requested the trailer to arrive, whichever is later. The nonreimbursable period ends 24 hours later, excluding Saturdays, Sundays, and holidays. For example, if a trailer arrives at 5:00 P.M. on Friday, the

nonreimbursable period ends 5:00 P.M. on Monday, or 5:00 P.M. on Tuesday if Monday is a holiday.

#### 466.24 **Determination of Reimbursable Detention Period**

The guidelines for determining the reimbursable detention period are:

- a. If the plant-load mailer has submitted timely requests to detain trailers, the reimbursable detention period begins at the expiration of the nonreimbursable detention period.
- b. If the mailer did not submit timely requests to detain trailers, the reimbursable detention period begins at the date and time the trailer arrives at the plant, or at the date and time at which the mailer requested the trailer to arrive, whichever is later.
- c. The reimbursable period ends when the trailer is ready for dispatch and the mailer so notifies the Postal Service.

#### 466.25 **Calculation of Reimbursement**

Reimbursement is made for each 24 hours, or fraction thereof, of the reimbursable detention period that a trailer is detained. After the nonreimbursable detention period ends, Saturdays, Sundays, and holidays are included in the calculation of detention reimbursement. Calculations for highway and rail transportation reimbursement are made as follows:

- a. Reimbursement for each highway transportation trailer is equal to the actual daily cost to the Postal Service for leasing the trailer, multiplied by the number of detention periods determined per [466.24](#).
- b. Reimbursement for each rail transportation trailer is equal to the demurrage or detention charge payable by the Postal Service under the rail transportation contract under which the trailer is furnished to the Postal Service by the railroad.

#### 466.3 **Bobtailing, Deadheading, and Waiting/Holding Charges**

Plant-load mailers must reimburse the Postal Service for bobtailing, deadheading, or waiting/holding when the Postal Service incurs such charges due to some action by the mailer. Reimbursement is equal to the service charge paid by the Postal Service under the transportation contract.

#### 466.4 **Damage Charges**

Plant-load mailers are responsible for reimbursement to the Postal Service for charges, including but not limited to, damages to Postal Service–furnished equipment caused by the mailer or the mailer’s employees or agents.

#### 466.5 **Spotting Charges**

The Postal Service allows free of charge to the mailer one round trip per vehicle to the mailer’s plant for loading and from the mailer’s plant as a dispatch to a destination Postal Service facility. In cases where a mailer makes an advance request to detain vehicles, the mailer may also accrue a spotting charge for the transportation expenses to position the vehicle for preloading at the mailer’s plant.



**466.6 Nonreimbursable Charges****466.61 Detention**

The Postal Service does not obtain reimbursement from plant-load mailers for the detention of trailers that results from an action by the Postal Service.

**466.62 Other Operations**

The Postal Service does not obtain reimbursement from plant-load mailers where bobtailing, deadheading, or waiting/holding charges are incurred by an action by the Postal Service.

**467 Mailer Expedited Plant-load Shipment****467.1 Definition**

Under an expedited plant-load shipment authorization, the Postal Service verifies the mail for presort and proper preparation at the mailer's plant. Postage is paid at the Post Office where the mailer is authorized plant-load privileges. The mailer then transports the expedited plant-load shipment at the mailer's expense to destination Postal Service facilities where the shipment is deposited and accepted into the mailstream. Only plant-load mailers authorized to do so may transport expedited plant-load shipments at their own expense under the conditions in [467.2](#) through [467.6](#).

**467.2 Authorization**

The procedure for obtaining authorization for expedited plant-load shipments is as follows:

- a. An authorized plant-load mailer may seek authorization to transport expedited plant-load shipments by submitting a written request to the district manager. The mailer's request must describe, for each destination where mail is to be transported, the material to be deposited as an expedited plant-load shipment (e.g., the class, characteristics, and quantity), the frequency of mailing, and whether the request is for one or for a series of mailings. No form is provided for this purpose.
- b. The district manager reviews the mailer's request, ensures the availability of Postal Service resources (e.g., detached mail unit staff), provides the mailer with a written decision, and sends a copy of the written decision to the manager, Distribution Networks. If the request is approved, the authorization is for a mailing or group of mailings and for a time period not to exceed 2 years, after which a new request must be submitted. If the request is denied, a written response explaining the reasons for denial must be provided to the mailer. A denial is a classification decision and may be appealed under current DMM policy.
- c. The mailer's request for expedited plant-load shipment authorization may be approved when it is in the best interest of the Postal Service, and the mailer is in compliance with the requirements for a plant-load operation.

- d. If the expedited plant-load shipment request is approved for more than one-time use, the plant-load agreement must be amended by attaching a completed and signed PS Form 8026, *Expedited Shipment Agreement for Plant-Load Mailings*, and including additional documents detailing the material to be prepared as expedited plant-load shipments.

#### 467.3 Mailer Responsibilities

Mailers who are authorized to have mail verified in their plant and paid for at the Post Office serving the mailer's plant (plant-load authorization) and to transport that mail at their own expense for deposit at a destination Postal Service facility (or facilities) must adhere to the following requirements before expedited plant-load shipments can be deposited at destination Postal Service facilities:

- a. The Postal Service facility (or facilities) where the mail is to be deposited must be one that processes the class of mail to be deposited.
- b. All the mailpieces in each expedited plant-load shipment must have a destination within the service area of the Postal Service facility where the shipment is deposited and accepted. For example, if an expedited plant-load shipment is deposited at an NDC, all the pieces in the shipment must be for addresses within the service area of that NDC.
- c. The mailer must contact each Postal Service facility where the expedited plant-load shipment is to be deposited to arrange and obtain approval for a time and location to deposit the expedited plant-load shipment.
- d. When a vehicle contains more than one expedited plant-load shipment to be drop-shipped to a single destination Postal Service facility, each shipment must be physically separated. When a vehicle contains mailings or mailing segments for more than one destination facility, the mail must be physically separated by destination, and then within each destination the mail must be physically separated by mailing or mailing segment.
- e. When the vehicle used for expedited plant-load shipment also contains other material carried as freight, the mailer must load all freight in the nose (front) of the vehicle, clearly marked and separated from the expedited plant-load shipment. The mailer must ensure that the separation method prevents the freight and expedited plant-load shipment from becoming mixed in transit.
- f. When the vehicle is loaded to make multiple stops, the mailer must ensure that only the appropriate shipment is removed at each stop, that no other material (mail or freight) is added, and that any remaining shipments are kept separate from any other freight remaining on the vehicle.
- g. The mailer must present the required postage statements and documentation to the DMU for each mailing.

- h. At destination, the mailer must provide the necessary documentation (provided by the Postal Service) to prove the required postage was paid for the expedited plant-load shipment.
- i. The mailer must meet the requirements that apply to any presort or automation-based rates claimed on the mailing being prepared as an expedited plant-load shipment. **Note:** Expedited plant-load shipments are not eligible for destination entry rates.

#### 467.4 Verification and Collection of Postage

All expedited plant-load shipment mailings must be verified and have postage and fees collected according to the class of mail as required in this manual, Handbook DM-109, and Handbook DM-103 before it is loaded into mailer-supplied transportation and dispatched. The plant-load requirements in [464.21](#), [464.22](#), [464.3](#), and [464.4](#) must be met.

#### 467.41 Detached Mail Unit Responsibilities

When mailers are authorized to transport an expedited plant-load shipment at their own expense to a destination Postal Service facility, the DMU employees assigned to the mailer's plant must verify those mailings as they would all other mail to be accepted under the plant-load authorization. Before the dispatch of an expedited plant-load shipment, DMU employees must complete the following additional activities for mail loaded onto mailer-provided transportation:

- a. Complete a PS Form 8017, *Expedited Plant Load Shipment Record*, for each destination. Place the form on the inside rear sidewall of the vehicle. Completion of more than one PS Form 8017 is required for mail to be deposited at multiple Postal Service facilities.
- b. Ensure that any material carried as freight on the same vehicle as an expedited plant-load shipment is confined to the nose (front) of the vehicle, is separated by a clearly marked separation, and is loaded to avoid becoming mixed with the expedited plant-load shipment in transit.

#### 467.42 Destination Postal Facility Responsibilities

Destination Postal Service facilities have the following responsibilities:

- a. Upon receipt of PS Form 8017, verify that the office receiving the shipment is the correct destination office. Check that PS Form 8017 is complete, signed, and round-stamped by the origin Post Office.
- b. After the shipment is unloaded, complete the applicable blocks on PS Form 8017.
- c. Retain PS Form 8017 for 1 year.
- d. Additional mail for downstream Postal Service facilities must not be loaded onto the mailer's vehicle by any Postal Service facility at which the mailer has deposited an expedited plant-load shipment.

#### 467.5 Liability

The mailer assumes all liability and responsibility for any loss or damage to the expedited plant-load shipment before it is deposited in and accepted at a destination Postal Service facility regardless of whether a third party is used

to transport it. The Postal Service is not liable or responsible for any loss or damage to an expedited plant-load shipment, except after accepted and deposited at a destination Postal Service facility as provided for in the DMM.

#### 467.6 **Refunds**

The Postal Service does not refund postage for any failure to provide service caused in whole or in part by any event occurring before the shipment is deposited in and accepted at a destination Postal Service facility, except in accordance with the provisions of the refund standards in current DMM policy.

### 468 **Transportation**

#### 468.1 **Selection of Mode of Transportation**

Distribution Networks selects the least-costly mode of transportation that meets the service objectives for the class of mail. The mode of transportation is not changed at the request of the mailer.

#### 468.2 **Mailer Transportation**

Mailers may transport their own plant-loaded mail when there is a highway contract between the Postal Service and the mailer or when the mailer is authorized to transport plant-verified mail under 468 and has entered into an expedited plant-load shipment agreement with the Postal Service. The awarding of a highway contract to the mailer or authorization under 468 is not a factor in deciding whether to authorize the plant load. Any net cost-savings that result from an expedited plant-load shipment authorization may not be included in the cost-savings analysis for initial plant-load authorization or renewal.

#### 468.3 **Holding, Storing, or Delaying Dispatch**

The Postal Service does not hold, store, or otherwise delay the dispatch of plant-loaded mail except as provided for under the plant-load agreement with the mailer.

#### 468.4 **Relocation of Trailers**

The Postal Service does not relocate trailers at a mailer's plant.

#### 468.5 **Service Objectives**

The service objectives that apply to the class of mail being transported apply to the plant-loaded mail. Plant-loaded mail may have deferred service objectives, if provided for in the plant-load agreement.

## 47 Platform Operations

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### 471 General

Each postal facility must organize its platform operations to provide unloading, loading, and dock transfer to meet service requirements and eliminate delays caused by careless platform handling. Platform operations should be organized to provide a safe and efficient environment. The mishandling of one pouch, tray, outside mail piece, sack, pallet, or container on the platform (dock) negates the value of sophisticated distribution plans and could cause thousands of individual pieces of mail to be delayed.

### 472 Contract Mail Handling Facilities

Contract mail handling facilities, such as those in the hub and spoke program (HASP), that dispatch or receive vehicles with mail, including mail transport equipment, must follow these requirements:

- a. Transportation schedules must be posted as specified by the Postal Service or as appropriate under the contract.
- b. Vehicles must be properly loaded and documented.
- c. Data input to postal computer systems must be performed as directed by the Postal Service (such data entry capabilities must be cleared through the postal contracting officer (CO) and computer application program manager). Contract employees designated to request access to a postal computer system must complete PS Form 1357, *Request for Computer Access*, as well as any other clearance documents specified by the postal application program manager and postal Inspection Service.
- d. If the facility dispatches or receives vehicles in the postal seal program, the facility manager or contract representative must identify a seal control officer and follow security requirements in [476](#).
- e. Timely sorting, distribution, loading, and dispatch to meet postal schedules.

### 473 Transportation Schedules

#### 473.1 Overall Responsibility

Area Office Distribution Networks (DN) prepares and distributes schedules for all modes of transportation within an assigned area. Transportation schedules are available and provided in a computer based application, where possible.

#### 473.2 Postal Vehicle Service (PVS)

The local Transportation and Networks office prepares schedules of PVS trips and, when instructed to do so by Area Office Distribution Networks, intra-city contract transportation.

**473.3 Highway Contract Transportation**

Area Office Distribution Networks (DN) develops contracts and distributes schedules for all Highway contract routes (HCRs).

**473.4 Rail and Intermodal Contract Transportation**

Rail and intermodal contracts are awarded by postal headquarters after development with Area Office Distribution Networks (DN). Area Office Distribution Networks distributes information and training for rail contracts and rail management information systems.

**473.5 Posting Schedules**

Each processing and distribution center/facility (and individual Post Offices as designated by Area Office Distribution Networks) must use and maintain a current, correct, and integrated list of arrivals and departures in time sequence. This list must be in electronic or hard copy format and must:

- a. Clearly identify the transportation plans (highway contract route and trip number, PVS and trip number, drop shipment appointment, etc.).
- b. If hard copy, be posted in the platform area. (This includes posting at Post Office stations and branches and intermediate stops on the route of travel.)
- c. Be updated as necessary to reflect current schedules.

**473.6 Maintaining Files**

Each processing and distribution center/facility and Post Office must maintain a current file of the individual schedules of those routes serving the facility. The file must be in electronic or hard copy form. Documents that require retention, such as PS Form 5397, *Contract Route Extra Trip Authorization*, PS Form 5500, *Contract Route Irregularity Report*, and PS Form 5398-A, *Contract Route Vehicle Record*, must be retained as specified in the *Administrative Support Manual*, and Handbook PO-513, *Mail Transportation Procurement Handbook*.

**473.7 Schedule Changes**

It is the responsibility of the processing and distribution plant manager and Post Office postmaster to request changes in transportation to meet service requirements as follows:

- a. A Post Office that is not a processing and distribution center/facility sends such requests through its local transportation and networks manager, who reviews, coordinates, and forwards requests in writing to the Area Office Distribution Networks.
- b. A processing and distribution center/facility directs requests in writing to its Area Office Distribution Networks and sends a copy to its plant manager.
- c. Box delivery requests are sent through the local District Postal Operations Manager (DPOM), who reviews, coordinates, and forwards requests in writing to the Area Office Distribution Networks. Area Office Distribution Networks reviews schedule change requests, coordinates

with other local, Area, and headquarters offices as necessary, and considers service and budget impacts prior to approval.

#### 473.8 **Schedule Errors**

All offices must report any errors in transportation schedules promptly to their Area Office Distribution Networks. This includes errors in any printed report or electronic program, such as the Highway Contract Support System (HCSS), Transportation Information Management and Evaluation System (TIMES), yard control or vehicle information system, National Air and Surface System (NASS), and any change in air and surface schedules. Plants must notify their Area Office Distribution Networks of all changes in or corrections of postal vehicle service (PVS) schedules.

#### 473.9 **Extra Trips**

All offices must record in the appropriate computer system, such as TIMES, extra trips dispatched or received. In addition, offices must complete required postal forms. For example, for highway contract service, complete PS Form 5397, *Contract Route Extra Trip Authorization*. For rail dispatches, complete PS Form 5186, *Mail Movement Routing Instructions*, either from the Rail Management Information System or the manual version.

### 474 **Loading**

#### 474.1 **Instructions**

Managers responsible for transportation must produce detailed loading instructions for each platform operation. Platform personnel must load trucks and trailers in accordance with prepared instructions, prescribed regulations, and/or special contract provisions.

#### 474.2 **Diagrams**

Highway contract route (HCR) trucks and trailers must be loaded according to diagrams on file and special instructions issued by Area Office Distribution Networks. Preferential mail must be placed in the vehicle so that it can be readily identified and unloaded at intermediate stops and at final destination.

#### 474.3 **Managing the Vehicle Load**

The purpose of proper loading is to ensure safe and damage-free transport of the load. Drivers who transport overloaded vehicles are susceptible to accidents, and may be ticketed and have substantial points assessed against their license. In some cases the Postal Service may make a court appearance regarding the citation. Other cases may require communication with the state Department of Motor Vehicles. In both instances, the overloaded vehicle causes an unnecessary and unproductive use of resources. Drivers who load their own vehicles to an overloaded condition are responsible and may be liable for any fine. Platform managers, supervisors, and employees must ensure that vehicles are loaded in a safe and legal manner:

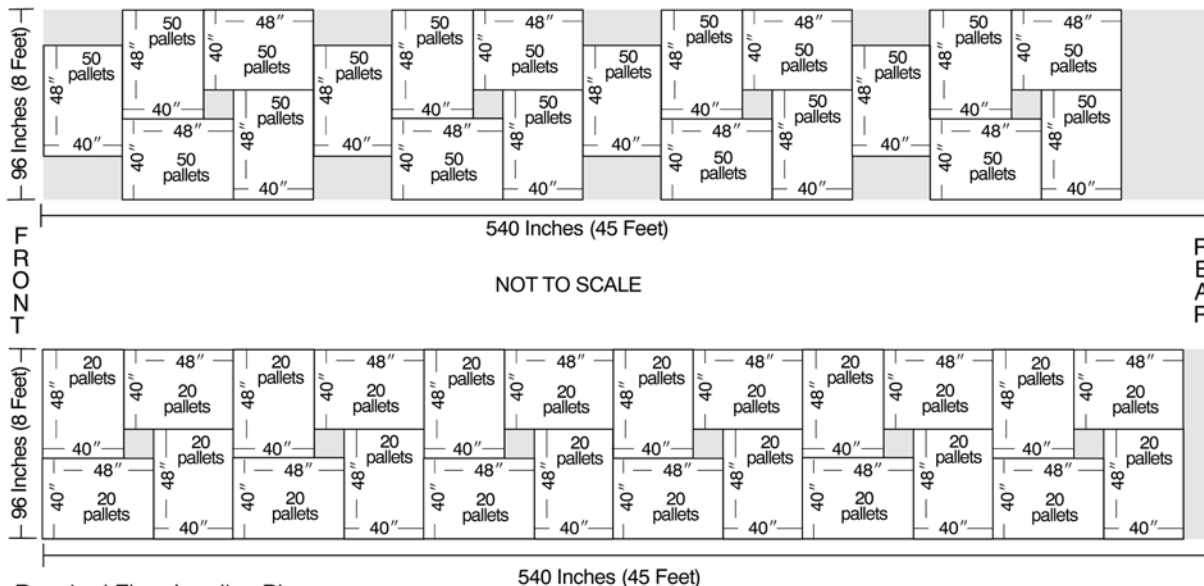
- a. For trips with special loading plans, loading diagrams should be posted at dock doors.

- b. In each vehicle fitted with side wall ("E") tracks, the load is secured with shoring straps and/or load bars.
- c. Whenever containers with drop-down pins are loaded in a vehicle with floor pin stake pockets, each container's pin is fitted in a floor pocket and container brake applied.
- d. Pallets are arranged in a pinwheel fashion, where pallets are loaded side by side in the vehicle with the long (48-inch) side of one next to the short (40-inch) side of the other, and the next row is loaded in the opposite direction. This interlocks the pallets and helps prevent them from sliding and the load shifting. See [Exhibit 474.3](#) for an example of pinwheeling pallets.
- e. Bedloaded sacks are brick-laid stacked in an orderly manner with the string side of the sack facing forward.
- f. Bedloaded trays are stacked with heaviest trays on the bottom and each successive level placed in a crisscross manner.
- g. Bedloaded parcels and nonmachineable outsides are brick-laid stacked in an orderly manner with heaviest parcels and outsides on the bottom.
- h. Mixed loads are arranged with bedloaded trays stacked along the side walls and sacks loaded in the middle across the vehicle.
- i. Vehicles are not to be loaded with more weight than the vehicle's specifications provide or law permits.
- j. Additional cargo restraint methods are used for potentially unstable loads.

Exhibit 474.3

**Safely Loading Pallets into Trailers**

Required Floor Loading Plan  
for Nestable Pallets (PSIN 3919)





**474.4 Cost for Overweight Vehicles**

If a Postal Service facility overloads a Highway Contract Route (HCR) vehicle resulting in a fine to the contractor, the contracting officer for that HCR may use his or her discretion and reimburse the contractor for the cost of the fine and charge that cost to the facility that overloaded the vehicle. If a contractor overloads their own vehicle resulting in a fine to the contractor, the contracting officer for that HCR may hold the contractor responsible for the fine or in special circumstances may use his or her discretion and reimburse the contractor for the cost of the fine. In some cases a law enforcement official requires excess weight be taken off the vehicle before continuing on its journey. This situation delays the mail and adds additional cost for the extra vehicle and driver. If possible, the office that loaded the vehicle provides the means to remove, transfer, and transport the excess load. If not possible, the nearest able plant or Post Office provides the resources and notifies the origin office of the incident.

**474.5 Attaching Seals**

The designated platform employees at a loading point must:

- a. Identify vehicles that must be sealed (see [476.1](#)).
- b. Complete PS Form 5398-A and insert appropriate copy into vehicle (see [476.8](#)).
- c. Apply numbered tin band and twisted wire seals (see [476.6](#) and [476.7](#)).

**475 Visual Aids on the Platform (Dock)****475.1 General**

Visual aids provide platform employees easy and efficient access to information concerning the proper loading and dispatch of trips, as well as information about arriving trips. Visual aids enhance platform operations by providing ready information so employees can expedite unloading and transfer of mail to inplant operations, and can expedite the proper loading, sequencing, and dispatch of outbound mail. Platform supervisors should ensure accurate visual aids are displayed in an appropriate place on the platform.

**475.2 Inbound Trips****475.21 Arrival Schedules**

For inbound operations, receiving offices must have visual aids showing a profile of trip arrivals, including pertinent information such as route, trip, scheduled arrival time, and transfer information for cross dock items to meet outbound dispatches. When appropriate, post transfer information with separate times depending on mail make-up, such as separate transfer times for both direct and working pallets, for direct and working rolling stock, and for loose sacks. This instruction is not applicable when using electronic arrival profiles (such as the Transportation Information Management and Evaluation System (TIMES) or the Transportation Routing Information Panel System (TRIPS)) or for BMCs and offices with mechanized unloading-to-machine distribution.

**475.22 Special Instructions**

For each inbound trip with a distinct load configuration, receiving offices must have visual aids showing the separations (or other unique features) expected on the trip, the content of the separations, and special handling instructions. Hard copy visual aids are not applicable when information is available through electronic devices, such as computer monitors mounted on the platform.

**475.3 Outbound Trips****475.31 Loading Diagrams**

For each outbound trip, dispatching offices must have visual aids showing the individual and/or inclusive ZIP Codes to be dispatched, and other unique features, such as for tailgating mail. Hard copy visual aids are not applicable when information is available through electronic devices, such as computer monitors mounted on the platform.

**475.32 Dispatch Schedule**

For each outbound trip, dispatching offices must have visual aids showing a profile for outbound dispatches, including route, trip, scheduled departure time, and other unique features. This instruction is not necessary when sufficient instruction is provided by electronic dispatch tools, such as TIMES and TRIPS.

**476 Sealing Program and Procedures****476.1 General Requirement**

All dispatching offices under the seal program, including contract mail handling facilities, must seal each outbound highway contract vehicle, rail intermodal vehicle (trailer, container, RoadRailer, or other rail or Postal Service-furnished vehicle), or rail boxcar, with numbered tin band seals, Item 0817A, and twisted wire seals, and complete PS Form 5398-A, *Contract Route Vehicle Record*. If an electronic transportation system such as TIMES is used, the tin band seal number must be entered in the appropriate place manually, or by scanning the barcode on the seal. Dispatching and receiving offices must have tin band seals, twisted wire seals, seal imprinters, and sealing and cutting tools.

**Note:** Twisted wire seals are never used alone when dispatching mail (excluding Mail Transport Equipment, see [476.2c](#)). They are always used in addition to numbered tin band seals and PS Form 5398-A.

**476.2 Exemptions and Exceptions**

In some cases, the seal system is not used at all or is used with minor deviations:

- a. **Unstaffed Offices.** Do not use the seal system for dispatches of mail to offices where vestibule exchange occurs, or where postal personnel are not normally on duty to accept delivery. Complete PS Form 5398-A and enclose it to verify that the load was in good condition and identify who closed it. Annotate PS Form 5398-A “**SEAL NOT REQUIRED**” to verify a seal was not used.

- b. Empty Vehicles. Do not seal empty trailers, vans, or rail vehicles.
- c. Mail Transport Equipment. Do not use a numbered tin band seal on dispatches of mail transport equipment. Use a twisted wire seal. If appropriate for additional security, use PS Form 5398-A and annotate it “**SEAL NOT REQUIRED.**”
- d. Contract Vehicles. Small highway contract routes utilizing equipment with automobile type locks that are not sealable are exempt from the sealing requirements. Contract vehicles secured with contractor’s padlocks are exempt from using twisted wire seals, but must use the numbered tin band seal.
- e. Foreign Mail. Seal outbound international ocean containers with tin band seals and record serial numbers on the waybill documents. Do not use PS Form 5398-A.
- f. Outbound Military Mail. Seal all outbound military mail containers dispatched overseas via surface transportation with both twisted wire seals and numbered tin band seals. Do not use PS Form 5398-A.
- g. Inbound Military Mail. Inbound military mail containers are sealed with only the numbered tin band seal. Do not use twisted wire seals.
- h. Postal Vehicle Service (PVS). PVS drivers must use cargo compartment door locks and, where applicable, postal padlocks, in accordance with PVS policy.

#### 476.3 **Disseminating Instructions**

Dispatching offices must furnish necessary instructions to offices that receive sealed vans and are not familiar with the seal program. The instructions must include procedures for removing, verifying, and filing numbered seals and forms.

#### 476.4 **Necessary Supplies**

The sealing program uses the following basic supplies:

- a. Item 0817A, Numbered Tin Band Seal.
- b. PS Form 5398-A, *Contract Route Vehicle Record*.
- c. Security seal imprinter.
- d. Twisted wire seal (12-inch section of 8-gauge steel wire band).
- e. Twisted wire sealing and cutting equipment (see [476.7](#)).

#### 476.5 **Security**

##### 476.51 **Numbered Seals**

The manager at each postal facility or contract mail handling facility where numbered tin band seals are used must keep seals under lock and key. The manager designates a supervisor and a clerk as seal control officer and alternate seal control officer, respectively. The reserve stock of seals is under the exclusive control of the seal control officer and his/her alternate. The following guidelines also apply:

- a. Seals may be shipped from the factory in bulk quantities of several hundred or several thousand.

- b. Seals are issued to dock personnel in units of 100 or in units of a two-day supply, whichever is less.
- c. Seals must not be given to contract employees under any circumstances.

#### 476.52 **Sealing Discrepancies**

##### 476.521 **General Rule**

Any employee who notices a sealing irregularity (e.g., a discrepancy in a seal number or a broken or missing seal) must initial the related PS Form 5398-A and notify his/her supervisor. The supervisor must:

- a. Verify the irregularity and initial the PS Form 5398-A.
- b. Immediately report the irregularity by telephone both to the dispatching facility and to the appropriate Postal Inspector-in-Charge.
- c. Investigate the discrepancy to the best extent possible.
- d. Follow up the telephone report with a written report to both offices.
- e. Retain the seal and related form until the investigating postal inspector authorizes its release.

##### 476.522 **Special Cases**

For a discrepancy involving either a double trailer or a relay driver (a driver other than the one who drove the first segment of the route), the employee discovering the discrepancy must determine the name of the driver and enter it on the PS Form 5398-A.

#### 476.6 **Multidoor Vehicles**

Special requirements for multidoor vehicles depend on whether or not the side doors are used en route:

- a. **Unused Side Doors.** Side doors of highway contract vehicles that are never used must be permanently sealed by applying a twisted wire seal and a numbered tin band seal to the unused doors. The numbered tin band seal is recorded on PS Form 5398-A and placed in the local contract file. When sealing or removing the regular numbered seal from the rear doors of the vehicle, make a visual check to see that both the tin band seal and the twisted wire seal are intact on unused side doors. It is not necessary to verify the number of the special seal in every instance, but checks must be made at least quarterly.
- b. **Used Side Doors.** Multidoor vehicles with side doors that are used en route require numbered seals on both doors. Use one PS Form 5398-A for the side door, and another for the rear door. When unloading mail, remove only the seal on the door being opened. Verify the seal number on the other door.

#### 476.7 **Twisted Wire Seals**

##### 476.71 **Applying Wire Seals**

Twisted wire seals require approximately 90 seconds to affix and are fastened as follows:

- a. Insert a 12-inch section of 8-gauge steel wire rod halfway through the hasp of the door to be sealed.

- b. Bend the wire rod double and insert one end into a special twisting tool.
- c. Rotate the tool to catch the other end of the wire, thus twisting the wire into a tight knot that can be removed only with a bolt cutter.
- d. Twist the seal against the door hasp so that it cannot be untwisted with a screwdriver or a pair of pliers.

#### 476.72 **Removing Wire Seals**

Cut the seals with at least a 14-inch bolt cutter. For personal safety, make the cut close to the hasp. To prevent the possibility of tire damage, do not let used seals fall to the ground. Place used seals in the appropriate waste receptacle.

#### 476.8 **PS Form 5398-A**

##### 476.81 **Applicability**

PS Form 5398-A must be completed by all facilities (including BMCs) for each highway contract route vehicle, rail intermodal vehicle, and rail boxcar that is sealed with a numbered tin band seal. See [476.2](#) for exceptions.

##### 476.82 **Automatic Imprinting**

A security seal imprinter is used to automatically record the date, name, and ZIP Code of the dispatching facility and the serial number(s) of the tin band seal(s) on the PS Form(s) 5398-A. The imprinter can accommodate three tin band seals.

##### 476.83 **Dispatching Entries**

The dispatching employee must write certain entries on the PS Form 5398-A. These include:

- a. Name of the employee sealing the vehicle.
- b. Destination of the next facility to be served by the vehicle. (This may be an intermediate stop en route.)
- c. Driver's name. **Exceptions:** It is not necessary to show the driver's name when sealing:
  - (1) a rail intermodal vehicle or boxcar, or
  - (2) the first trailer of a double trailer trip (e.g., pups/twins) to the same destination. The driver must be identified on the PS Form 5398-A for the second trailer. See also [476.522](#).
- d. Departure Time and Date. When sealing rail vehicles in advance of the dispatch, or when sealing the first vehicle in a tandem dispatch, write the sealing time and date rather than the departure time and date.
- e. Registered Mail is not identified or recorded on PS Form 5398-A.

##### 476.84 **Defective Seals**

When sealing vehicle doors, dispatching employees who discover defective seals should submit them to their supervisors with the numerical sequence of those seals listed on a PS Form 5398-A.

**476.85 Distribution**

PS Form 5398-A is a three-part form: two soft (tissue) copies and a hard (index) copy. Copies are distributed and used as follows:

- a. First soft copy. Retain at dispatching facility.
- b. Second soft copy. Give to vehicle driver for use:
  - (1) as a gate pass at facilities where access is controlled by security force personnel, and
  - (2) as a bill of lading at truck weigh stations or at en route inspections by regulatory agencies.
- c. Hard (index) copy. Place in open-ended envelope attached to the inside wall of the vehicle's cargo compartment. Do this immediately prior to closing and sealing the cargo doors.

**476.86 Receiving Entries**

Any employee who breaks the seal at the point of destination must process the PS Form 5398-A as follows:

- a. Enter name of employee breaking seal.
- b. Identify any discrepancies (see [476.52](#)).
- c. Submit forms and seals for retention.

**476.87 Retention**

PS Forms 5398-A and related numbered seals must be filed and kept at the receiving facility for 15 days.

**476.9 Registered Mail**

Detailed procedures for Registered Mail are in Handbook DM-901, *Registered Mail*. The following are included in Registered Mail procedures for transportation contract operations:

- a. Contract drivers who are not under the security seal program are required to sign for Registered Mail.
- b. A postal employee must be assigned to receive and record all Registered Mail from contract drivers.
- c. A Nil-Bil system that will account for registered remittances. This requires a Registered Mail pouch even if no remittance is being sent that day.

**477 Mail and Empty Mail Vehicle Arrivals****477.1 Recording Arrivals**

All mail and empty mail vehicle arrivals (whether via scheduled transportation or extra trips) on contract or Postal Vehicle Service (PVS) must be recorded in the appropriate electronic system (such as the Transportation Information Management and Evaluation System (TIMES)) or on the appropriate form (see below). Complete the data entry or forms as required, and include additional remarks to explain deviations. Appropriate forms are:

<b>Source of Mail</b>	<b>Record Trip Arrivals in Electronic System</b>	<b>Record Trip Arrivals on</b>
Main office collection runs at CAG A-G offices	As available	PS Form 3968, <i>Daily Mail Collection Record</i>
Stations and branches via PVS	As available	Locally designed form
Stations and branches via highway contract route	As available	PS Form 5398, <i>Transportation Performance Record</i>
Associate offices via highway contract route	As available	PS Form 5398, <i>Transportation Performance Record</i>
Processing plants via highway contract route	TIMES (Transportation Information Management and Evaluation System)	PS Form 5398, <i>Transportation Performance Record</i>
AMF or airport	TIMES	Locally designed form or as required by Area Office Distribution Networks
NDC via highway contract route	TIMES, yard control system	PS Form 5398, <i>Transportation Performance Record</i> , PS Form 4460, <i>Vehicle Record/Trip Ticket</i> (card)
NDC via rail	TIMES, yard control system, and/or Rail Management Information System (RMIS)	PS Form 5398, <i>Transportation Performance Record</i> , PS Form 4460, <i>Vehicle Record/Trip Ticket</i> (card), PS Form 5186, <i>Mail Movement Routing Instructions</i>
NDC via PVS	TIMES, yard control system	PS Form 5398, <i>Transportation Performance Record</i> , PS Form 4460, <i>Vehicle Record/Trip Ticket</i> (card)
Local private mailers	Drop Shipment System for destination entry vehicles, TIMES, RMIS for rail vehicles, other as available	After verification, PS Form 8125, <i>Drop Shipment Clearance Document</i> , PS Form 8015, <i>Plant Load Vehicle Log</i> , or locally -designed forms, if warranted
Private mailers from other than local area	Drop Shipment System for destination entry vehicles, RMIS for rail vehicles, other as available	After verification, PS Form 8125, <i>Drop Shipment Clearance Document</i> , PS Form 8015, <i>Plant Load Vehicle Log</i> , or locally designed forms, if warranted

### 477.2 **PS Forms 4460 and 5398**

Receiving offices must record the arrival time and the unloading time for all trips (including extra highway route trips) as follows:

- a. BMCs use PS Forms 4460 and 5398 to record times. Other offices use PS Form 5398.
- b. Although most offices maintain PS Forms 4460 and 5398 at the platform, BMCs and certain large Post Offices may find it advantageous to maintain the forms at some other place, such as a vehicle operations office.

### 477.3 **PS Form 5201, Mail Van Inspection**

The purpose of PS Form 5201 is to show the condition of vehicles when received into the possession of the Postal Service. A properly completed PS Form 5201 records preexisting damage that should not be charged to the Postal Service. PS Form 5201 should be prepared for all arriving rail or leased vehicles, whether loaded or empty. Drivers picking up rail or leased vehicles should verify an inspection form provided by the location supplying the vehicle, or complete PS Form 5201 at the time of acceptance. A PS Form 5201 completed on departure from a facility may record damage caused to the vehicle while in the possession of the Postal Service. If requested by a driver at departure, complete PS Form 5201 and provide a copy to the driver. Follow instructions issued by the Area Office Distribution Networks to complete PS Form 5201.

### 477.4 **Unloading**

#### 477.41 **Instructions**

All receiving facilities must have detailed unloading instructions for each platform operation. The detail necessary depends on the size and complexity of the office. The instructions should be posted as visual aids or easily available to platform employees. Always include instructions pertaining to the unloading of drop shipments that must be checked to ensure proper quantity and documentation of mail, and for business mail that must pass through acceptance procedures before processing. Also include procedures for handling surface preferential mail (periodicals), particularly tailgated surface preferential mail and Registered Mail. In some cases it is necessary to identify docks, belts, slides, and staging areas by number with visual aids, because this helps employees place specific mail items in the proper place.

#### 477.42 **Removing Seals**

The designated platform employees at an unloading point must:

- a. Remove all numbered seals and twisted wire seals (see [476.72](#)).
- b. Complete the appropriate parts of PS Form 5398-A (see [476.86](#)).
- c. Identify any discrepancies (see [476.52](#)).
- d. After verifying PS Form 5398-A against the actual seal number, dispose of numbered and twisted wire seals in a trash receptacle to prevent the possibility of vehicle tire damage.
- e. File PS Form 5398-A in an appropriate place for at least 15 days.



**477.43 From Air Facilities****477.431 Responsible Employees**

All employees who are responsible for the dispatch and receipt of mail at airport mail centers (AMCs) and facilities (AMFs) or local air stop points must be thoroughly familiar with the air contract data collection system, required forms contained in Handbook PO-507, *Air Contract Administrative Procedures*, and procedures for air contract performance measurement, including scanning procedures.

**477.432 Air Taxis**

Use appropriate forms. See Handbook PO-509, *Air Taxi Contract Administration*.

**477.5 Platform Transfers****477.51 Registered Mail**

Registered mail must be handled according to Registered Mail procedures. In 1997, new procedures were issued by the Chief Postal Inspector and the Vice President, Operations Support, to area vice presidents. Among other changes, these procedures:

- a. Required contract drivers not under the seal program to sign for Registered Mail.
- b. Assigned a postal employee to receive and record all Registered Mail from the contract drivers.
- c. Implemented a Nil-Bil system to account for registered remittances, requiring a registered pouch even on days no remittance is sent.

**477.52 Preferential Mail**

Preferential mail must be given expeditious handling on platforms.

**477.53 Transfer Failures**

If a transfer failure is caused by poor supervisory judgment, local management must take immediate corrective action. If the transfer failure results from the late operation of a highway contract and is not caused by legitimate reasons:

- a. Processing plants, administrative offices, large installations, and other postal facilities complete PS Form 5500, *Contract Route Irregularity Report*, and distribute copies as instructed on the Form.
- b. Offices that do not use PS Form 5500 report irregularities to the appropriate administrative official of the contract involved using Postal Service routing slip, Supply Item O-13, or other appropriate communication.
- c. If a transfer failure causes delay to a highway contract route (HCR) trip, a PS Form 5466, *Late Slip*, should be issued to the HCR driver.

**477.54 Missent Mail**

Notify responsible Post Offices, processing facilities, and BMCs of receipt of missent pouches, sacks, containers, and outside pieces of all classes of mail. Follow up to ensure problems have been corrected.

## 478 Mail and Empty Mail Vehicle Departures

### 478.1 Recording

All mail and empty mail vehicle departures (whether via scheduled transportation or extra trips) must be recorded in the appropriate electronic system (such as TIMES or other vehicle information system) or on the appropriate form (see table below). Complete the data entry or forms as required, and include additional remarks to explain deviations. Appropriate forms are:

Mail / Vehicle Destination	Record Departures in Electronic System	Record Departures on Form
Stations and branches via PVS	As available	Locally designed form
Stations and branches via highway contract route	As available	PS Form 5398, <i>Transportation Performance Record</i>
Associate offices via highway contract route	As available	PS Form 5398, <i>Transportation Performance Record</i>
Processing plants via highway contract route	TIMES (Transportation Information Management and Evaluation System)	PS Form 5398, <i>Transportation Performance Record</i>
AMF or airport	TIMES	Locally designed form or as required by Area Distribution Network Office
NDC via highway contract route	TIMES, vehicle information system	PS Form 5398, <i>Transportation Performance Record</i> , PS Form 4460, <i>Vehicle Record/Trip Ticket (card)</i>
NDC via rail	TIMES, vehicle information system, and/or Rail Management Information System (RMIS), Equipment Inventory Reporting System (EIRS) for mail transport equipment (MTE)	PS Form 5398, <i>Transportation Performance Record</i> , PS Form 4460, <i>Vehicle Record/Trip Ticket (card)</i> , PS Form 5186, <i>Mail Movement Routing Instructions</i> for rail
NDC via PVS	TIMES, yard control system	PS Form 5398, <i>Transportation Performance Record</i> , PS Form 4460, <i>Vehicle Record/Trip Ticket (card)</i>
Rail Yard or Leased Vehicle Supplier	RMIS for rail vehicles, TIMES, vehicle information system, other as available	PS Form 5398, <i>Transportation Performance Record</i> , PS Form 4460, <i>Vehicle Record/Trip Ticket (card)</i> , PS Form 5201, <i>Mail Van Inspection Report</i> , or locally designed forms, if warranted

Mail / Vehicle Destination	Record Departures in Electronic System	Record Departures on Form
Private mailers	RMIS for rail vehicles, TIMES, vehicle information system, EIRS for MTE, other as available	PS Form 5398, <i>Transportation Performance Record</i> , PS Form 5201, <i>Mail Van Inspection Report</i> , After verification, PS Form 8125, <i>Drop Shipment Clearance Document</i> , or locally designed forms, if warranted

#### 478.2 **PS Form 5201, Mail Van Inspection**

A PS Form 5201 completed on departure from a facility may record damage caused to the vehicle while in the possession of the Postal Service. If requested by a driver at departure, complete PS Form 5201 and provide a copy to the driver. Follow instructions issued by the Area Office Distribution Networks to complete PS Form 5201. PS Form 5201 is initiated on vehicle arrival to document preexisting damage. See [477.3](#) regarding arrivals.

#### 478.3 **Scheduling Extra Trips**

##### 478.31 **Postal Vehicle Service (PVS) Trips**

Extra PVS trips are costly and should not be scheduled unless necessary to prevent delay of mail.

##### 478.32 **Highway Contract Route Trips**

No office may request or schedule extra highway contract route trips unless necessary to prevent serious delay of preferential mail or justified because of mail volume. The following guidelines apply:

- a. Each highway contract route extra trip must have PS Form 5397, *Contract Route Extra Trip Authorization*, completed as certification for payment.
- b. The office authorizing the extra trip must issue PS Form 5397 and complete the appropriate sections.
- c. A copy of PS Form 5397 will be retained for at least one year in the office that issues PS Form 5429, *Certification of Exceptional Contract Service Performed*. PS Form 5429 must be retained at least 7 years. Record retention periods are also contained in the *Administrative Support Manual* and Handbook PO-513, *Mail Transportation Procurement Handbook*.
- d. Destination offices should be notified of extra trips in advance by telephone or electronic mail, and furnished PS Form 5397.
- e. Destination offices review and complete the appropriate sections of PS Form 5397 for destination office. If the extra trip ends at the destination office, the destination office distributes copies of the completed PS Form 5397 as instructed on the form. If the extra trip is operating round-trip, the destination office should dispatch any available volumes on the return leg of the extra trip.

- f. PS Form 5429, *Certification of Exceptional Contract Service Performed*, is completed by the office designated as Administrative Official (AO) for the highway contract route. The AO summarizes PS Forms 5397 onto PS Form 5429 at the end of each postal accounting period. The AO distributes copies of PS Form 5429 as required on the form, including sending the completed PS Form 5429 to the postal Accounting Service Center for payment to the highway contract route contractor. PS Form 5429 must be retained at least 7 years.

#### 478.4 **To Air Facilities**

Extra trips to air facilities are scheduled and documented in accordance with the requirements for the type of surface transportation used. Postal vehicle service trips are scheduled and operated in accordance with PVS requirements. Highway contract trips are scheduled in accordance with [478.32](#). See [477.3](#) regarding inspecting vehicles using PS Form 5201, *Mail Van Inspection*.

### 479 **Special Mailer Preparation**

#### 479.1 **General Explanation**

Special mailer preparation offers benefits to both cost and efficiency. Mailers who prepare their mail in special ways do so for the following reasons:

- a. To qualify for automation rates.
- b. To reduce handling within the Post Office and thus expedite service. Platform employees must recognize specially prepared mail and handle it in a manner that takes advantage of the mailer preparation and expedites its movement through the processing plant to delivery. Some examples of specially prepared mail are cross dock pallets; mail in specialized cartons and containers; trayed, prebarcoded, and carrier route sequenced mail; and ZIP Code sequenced (riffle) mail.
- c. To qualify for destination entry discounts under plant-verified drop shipment.

#### 479.2 **Cross Dock Pallets**

Mailers may prepare pallets with mail all for a certain processing plant or delivery office. These pallets do not need to be broken until they reach the plant or office that processes mail with the specific ZIP Codes identified for the pallet. Cross dock pallets should therefore be moved from the delivery vehicle to the outbound trip intact. As a safeguard, contents on the pallet should be visually checked against the pallet label.

#### 479.3 **Specialized Cartons and Containers**

Mailers may be provided specialized cartons and containers for loading mail. These cartons and containers are then loaded and unloaded with mechanized equipment, making the loading and unloading process faster. In some cases, mailers may be provided rolling containers for use within the closed loop of the processing plant's service area and the mailer's plant. Rolling containers are costly, their use must be monitored, and mailers should not keep them for a prolonged period of time. They should be

promptly loaded and returned. An alternative to costly rolling containers is pallet-based cardboard box containers. They may be provided by the mailer or, if appropriate, postal facility. Rolling containers (or pallet-based containers) replace bedloading and expedite the loading and unloading of vehicles. Platform personnel should unload containers and promptly move them to the next operation.

#### 479.4 **Trayed Mail**

Depending on the degree of makeup and the manner in which postage is paid, platform personnel must develop a system (with the approval of the manager responsible for plant operations) that ensures trays mail is handled expeditiously. Platform supervisors should utilize any or all of the following tags or labels to assist in the correct routing of trays mail:

Label/Tag	Used for
LABEL 204	First-Class Presorted — All for ZIP Code on Face
LABEL 205	First-Class Presorted — All for First 3 Digits of ZIP Code
TAG 13	Mailer Prepared Scheduled Mail
TAG 23	Presorted First-Class Sack, Green
TAG 24	Presorted First-Class Sack, 5-Digit
TAG 25	Presorted First-Class Sack, 3-Digit
TAG 57	Political Campaign Mailing
TAG 122	Carrier Presorted Mail

#### 479.5 **ZIP Code Sequence (Riffle) Mail**

ZIP Code sequence or riffle mail consists of letters and flats that have been customer-sequenced by ZIP Code, state, or otherwise (processing category, outgoing or incoming schemes). Platform personnel should familiarize themselves with mail arriving at the platform to locate, identify, and correctly route riffle mail. A local method of identifying the pallets, containers, trays, or sacks of riffle mail must be established.

#### 479.6 **Destination Entry Mail (PVDS-Plant Verified Drop Shipment)**

##### 479.61 **General**

Plant verified drop shipments (PVDS) are considered freight until such time as they are actually deposited at the destination facility where they will be accepted as mail. Mailers (or their agents) may request specific dates for appointments and unloading of destination entry mail at postal facilities. Mailers must request appointments in advance by using either the drop shipment appointment system (DSAS) or by calling the local drop shipment appointment control center or local drop shipment coordinator (depending on locale, the appropriate drop shipment appointment control center/coordinator may be the one serving the destination entry location, as opposed to serving the mailer plant origin). Conditions for unloading product from the mailer's or mailer's agent's vehicle are that the load must be in good condition, clearly identified, all mail properly prepared, and all official forms and paperwork present and properly completed. Some general provisions follow. For specific procedures, see separately published guidelines for drop shipment mail.

**479.62 Prior Authorization**

Prior clearance is required before accepting drop shipment mail. An appointment or reservation is generally needed, and electronic authorization or specific clearance documents must be presented along with mail being deposited. Prior to being issued a PVDS authorization the mailer must have either an existing Postal Service detached mail unit (usually established with a plant load authorization), or a postage payment agreement, specifying how PVDS postage is to be verified. PS Form 8125, *Drop Shipment Clearance Document*, is required to accompany each shipment and be presented to the Postal Service with mail being deposited.

**479.63 Plant-Verified Drop Shipment Seal**

The mailer's vehicle may be sealed with the blue plastic seal used specifically for drop shipments. If a seal is present, the employee breaking the seal must verify the number against the seal number recorded on accompanying documents. If the seal number disagrees with the number on PS Form 8125, *Drop Shipment Clearance Document*, contact the mail acceptance office.

**479.7 Staging for Scheduled Delivery**

Mailers of nonpreferential Periodicals and USPS Marketing Mail may request specific delivery dates for their mail, provided that they furnish the mail to Post Offices sufficiently in advance of the scheduled delivery date. General delivery commitments are dependent upon level of presort and place of deposit as described in [458](#). The requested delivery date should be no earlier than normal service commitments would indicate.

## 48 Safety

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**481 General**

Safety is a major concern in all elements of mail processing. Managers are responsible for ensuring that safety programs are aggressive, continually updated, and involve both management and employees.

**482 Work Areas**

Work area supervisors are directly responsible for safety in their area of operation and for the safety of personnel under their supervision. Supervisors must be constantly on the alert for conditions that may jeopardize the safety and health of the work environment and must take immediate steps to correct any unsafe procedure or condition.

**483 Fire Hazards**

Good housekeeping practices must be continually observed so that unsafe conditions or fire hazards do not develop.

**484 Training**

Supervisors are responsible for conducting safety and health training programs. Safety personnel monitor the training programs and provide technical assistance, including distributing safety materials and demonstrating safety methods and equipment. Supervisors are also responsible for continued on-the-job training through weekly safety talks to all personnel and through daily contact, as appropriate.

## 49 Congressional and Political Campaign Mail

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**491 Congressional Mail****491.1 General****491.11 Basic Information**

See DMM 703 for basic information on mail sent under the congressional frank.

**491.12 Identification**

Franked mail is identified by the facsimile signature of the member of Congress in the upper right corner of the envelope or franked label, followed by "M.C." standing for member of Congress, or "U.S.S." for U.S. Senate.

**491.13 Postage Payment**

Postage for franked mail is paid in lump sums by the U.S. Treasury to the Postal Service. Franked mail, therefore, must not be returned for collection of postage. Franked mail sent from Washington, DC, is counted and reported by the House of Representatives and Senate with the Washington, DC, Post Office and the Post Office Accounting Office at Postal Service Headquarters. Procedures for accounting for franked mailings entered outside Washington, DC, are found in [491.5](#).

**491.14 General Types of Mailings**

Mailings under the congressional frank include both individual piece mailings sent by First-Class Mail and mass mailings. Mass mailings may be sent as First-Class Mail or USPS Marketing Mail. All franked mail is treated and handled according to the class of mail and special service indicated on the outside of the mailpiece.

**491.15 USPS Marketing Mail Mailings**

USPS Marketing Mail franked mailings consist of newsletters, meeting notices, and other printed matter. The mailpieces may bear individual names and addresses or simplified addresses. While individual pieces are rated as USPS Marketing Mail, the overall mailing may be sent by Priority Mail or Priority Mail Express drop shipment.

## 491.16 **Simplified Address**

### 491.161 **General**

Simplified address congressional mailings are a common form of congressional mass mailing that have unique characteristics and requirements. As such, detailed instructions are provided in the following sections on the features and handling of this type of mailing.

See DMM 602.3 for the regulations concerning simplified address mailings under the congressional frank.

### 491.162 **Definition**

Simplified address congressional mailings are prepared without individual names and addresses for general distribution to delivery customers within a congressional district or a state.

### 491.163 **Distribution**

Distribution of simplified address congressional mailings is as follows:

- a. Complete distribution may be made to all carrier route, Post Office box, and general delivery customers within a ZIP Code.
- b. Selective distribution may be made to specified city, rural, and highway contract routes; Post Office box sections; or general deliveries.
- c. Selective distribution may be made within city, rural, and highway contract routes when a route is split between congressional districts.
- d. Selective distribution may be made to either residential or business deliveries within city routes.

### 491.164 **Simplified Address Format**

Simplified address congressional mailings are addressed "Postal Customer — Local" or "Postal Patron — Local" on the first line, with the congressional district identified in the second line and the state in the third line for a U.S. Representative, or with only the state identified in the second line for a U.S. Senator. The simplified address USPS Marketing Mail mailings are endorsed "Presorted USPS Marketing Mail" or "PRSRT STD." either directly below or to the left of the frank. As these pieces are sent at the Enhanced Carrier Route Walk-Sequence Saturation rate, they are also marked "ECRWSS" in this same area or directly above the simplified address.

## 491.2 **Handling of Mass Congressional Mailings**

### 491.21 **Preparation and Deposit**

#### 491.211 **Packaging**

The packaging of mass congressional mailings varies as follows:

- a. Individually addressed First-Class Mail and USPS Marketing Mail mailings are presorted, labeled, and packaged in trays or No. 3 gray sacks according to Postal Service requirements.
- b. Simplified address congressional mailings are presorted, labeled, and packaged in trays or No. 3 gray sacks according to Postal Service requirements.



- c. The packages bear facing slips addressed to the destination office. The facing slips generally are prepared in the following format:

Destination City, State, ZIP Code STD LTRS Carrier Route # Origin City, State, ZIP Code  ECRWSS <sup>1</sup> RESIDENTIAL STOPS ONLY <sup>2</sup> CONGRESSIONAL DISTRICT # ____ # PIECES <sup>3</sup> ____
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**NOTE:** Other Address Options:

- 1 "RESIDENTIAL CUSTOMERS" if the mail is meant to be delivered to residential customers only;
  - 2 "BUSINESS STOPS" or "BUSINESS CUSTOMERS" if the mail is for business customers only;
  - 3 "The facing slip reads "POSTAL CUSTOMER" if the mail is for delivery to all customers; or
- d. PS Tag 11, *Congressional Mail*, "Postmaster — Open and Distribute" is used on all sacks or trays of congressional mail. This tag helps identify the franked congressional mailing as it moves through the mailstream.

#### 491.212 Pouches

USPS Marketing Mail congressional mass mailings may be sent by Priority Mail or Priority Mail Express drop shipment and are pouched and labeled accordingly.

#### 491.213 Deposit

Most bulk congressional mailings are sent from Washington, DC. Members of Congress may, however, dispatch these mailings from Post Offices other than Washington, DC. See [491.51](#) for procedures for local deposit of franked USPS Marketing Mail mailings.

#### 491.22 Processing and Delivery

##### 491.221 Responsibilities

Responsibilities for processing and delivery of congressional franked mailings are as follows:

- a. Managers, Customer Service Support, at Customer Service and Sales districts, are responsible for appointing a congressional mailings coordinator to serve, when necessary, as a liaison with plants, delivery units, congressional offices, and Government Relations, Postal Service Headquarters, to resolve any problems with these mailings. The Manager, Customer Service Support, must notify plants, Post Offices, and Government Relations of the individual assigned the congressional mailings coordinator role.
- b. Congressional mailings coordinators are responsible for coordinating with plants, delivery units, congressional offices, and Government Relations as necessary on matters related to congressional mailings.
- c. Plant managers are responsible for proper processing of franked congressional mailings.

- d. Postmasters and their subordinate unit managers at destination Post Offices are responsible for proper delivery of franked congressional mailings.

491.222 **Opening at Delivery Unit**

All sacks and trays identified as congressional mail must be opened at the delivery unit to determine the contents and class of mail. The contents must be examined to ensure that there are no apparent problems with the mailing, such as delayed time-value pieces, shortages, etc. See [491.224](#) and [491.226](#), respectively, for instructions regarding delays and excess or insufficient quantities.

491.223 **Selective Delivery**

On city routes, if the facing slip for carrier route presorted, simplified address mailings specifies either “Residential Stops Only” or “Residential Customers Only” or “Business Stops Only” or “Business Customers Only”, carriers must deliver the mail to those points only. Where a carrier route is split between congressional districts, supervisors must instruct carriers and substitutes concerning the boundary between the congressional districts. To determine the boundaries, supervisors should refer to U.S. Census Bureau congressional district maps and other information used for collection of *Congressional District Deliveries Report* data (see [491.4](#)). When simplified address congressional mailings are received on routes split between congressional districts, the carriers must take care to deliver them to the proper points. District Address Management System managers can assist in answering congressional district boundary questions.

491.224 **Delays**

Managers must give immediate attention to any delayed, time-value congressional mailings, such as town meeting notices. Plants or delivery units must notify the district congressional mailings coordinator of the delayed mailings. The district congressional mailings coordinator must notify the appropriate Government Relations representative, Postal Service Headquarters. The name and number of the Government Relations representative can be obtained by calling the office of the senior vice president, Government Relations and Public Policy, Postal Service Headquarters, at 202-268-2505. Records must be kept as indicated in [491.3](#).

491.225 **Bulk Drop Delivery**

Simplified address congressional mailings are prepared to include enough pieces for customers at bulk drop points. Carriers delivering to bulk drop points must leave enough pieces for the individual customers at these points. If the facing slip for the packages of mail for carrier routes serving these bulk drop customers specifies residential or business customers only, carriers must leave only enough pieces for such customers. If there are not sufficient pieces received to cover bulk drop customers, carriers must inform their supervisors, who then must initiate actions as described in [491.226](#).

491.226 **Excess and Insufficient Quantity**

The following procedures should be followed if a delivery unit receives an incorrect number of pieces of a simplified address congressional mailing:

- a. Carriers and clerks must notify the supervisor of the number of excess pieces or shortage of pieces needed for coverage on each route.

- b. In the case of excess pieces, carriers or clerks must not deliver more than one piece to the same addressee. However, a sufficient number of pieces must be left for individual customers at bulk drop points. See [491.225](#) for procedures governing delivery to bulk drop points.
- c. In the case of shortage, carriers or clerks must make all possible deliveries until the supply is exhausted, noting where delivery ended.
- d. The supervisor will transfer excess pieces, as available within the office, to routes that receive an insufficient number of pieces.
- e. Postmasters or other delivery unit managers will then contact the district congressional mailings coordinator to report the number of excess pieces or additional pieces needed for coverage, by specific route, Post Office box section, or general delivery indicator.
- f. The district congressional mailings coordinator will take necessary action to transfer pieces for offices reporting excess to those needing additional pieces.
- g. The district congressional mailings coordinator will also advise the local congressional office of any substantial excess or shortage of pieces received, by ZIP Code and carrier route, Post Office box section, or general delivery indicator. Assurance of total coverage must be given to the congressional office. The coordinator will obtain and follow instructions for disposal of the excess pieces from the congressional office. Excess pieces of simplified address congressional mailings must not be mailed to Postal Service Headquarters or to the Washington, DC, Post Office.
- h. If the situation cannot be resolved, the congressional mailings coordinator must immediately contact the appropriate Government Relations representative at Postal Service Headquarters.
- i. Where there is substantial difference between the number of pieces received and the number required for carrier routes, Post Office box sections, or general delivery, the congressional mailings coordinator must advise the district address management office. That office will compare the information provided by the coordinator with the *Congressional District Deliveries Report* database for the congressional district(s) involved and make any necessary corrections to the database.
- j. Records must be kept as indicated in [491.3](#).

#### 491.3 **Recordkeeping**

##### 491.31 **Postmasters or Subordinate Unit Managers**

Postmasters or subordinate unit managers must keep records of any congressional mailings received at their offices, with particular attention to those received too late for timely delivery. These records must be kept for 6 months and must contain the following information:

- a. Name of member of Congress.
- b. Description/sample of mailpiece.
- c. Number of pieces by carrier route and box section.
- d. Requested date of delivery, if applicable.

- e. Date and time received for delivery.
- f. Date delivered.
- g. Other actions taken.

#### 491.32 **Congressional Mailings Coordinator**

When contacted with problems, congressional mailings coordinators must keep records. These records must be kept for 6 months and must contain the following information:

- a. Delivery unit and manager requesting assistance and date of request.
- b. Name of member of Congress.
- c. Description of situation or problem.
- d. Description/sample of mailpiece.
- e. Name of Headquarters Government Relations representative contacted, if applicable, and date of contact.
- f. Name of congressional staff member contacted, if applicable, and date of contact.
- g. Other actions taken.

#### 491.4 **Congressional District Deliveries Report**

##### 491.41 **Delivery Statistics**

The Postal Service provides delivery statistics to members of Congress to allow them to prepare Enhanced Carrier Route USPS Marketing Mail using a simplified address. This data is provided through the *Congressional District Deliveries Report*. The *Congressional District Deliveries Report* provides carrier route, Post Office box, and general delivery information by 5-digit ZIP Codes within congressional districts.

##### 491.42 **Database Responsibility**

Compiling and maintaining the *Congressional District Deliveries Report* database is the responsibility of the address management function within the Customer Service and Sales districts.

##### 491.43 **Congressional District Maps**

Headquarters Address Management will provide current copies of applicable U.S. Census Bureau congressional district maps and other information to the address management offices within Customer Service and Sales districts. Also, the district address management office will, if necessary, obtain additional information from local election boards or other sources. This is done as needed and follows redistricting as a result of the decennial census or by legislative or judicial action. The address management offices within Customer Service and Sales districts must then enter the data for their Post Offices, stations, and branches into their address management system database.

##### 491.44 **Delivery Statistics Accuracy**

##### 491.441 **Up-to-Date Information**

All unit managers must provide their respective address management office with up-to-date carrier route, Post Office box, and general delivery statistics

by congressional district. All personnel involved in establishing the congressional district delivery information within the address management system database must ensure the accuracy of this data. They must pay particular attention to accurate assignment of route data within congressional districts. Some offices may serve more than one congressional district and must list routes appropriately under the correct congressional district. Routes may be split among congressional districts, and the precise number of deliveries in each congressional district must be provided. Post Office box figures will be listed in the congressional district in which the facility is located.

491.442 **Database Changes**

If inaccuracies in the database become apparent, the district address management offices must immediately make the necessary database corrections.

491.5 **Accounting for Franked Mail Entered at Post Offices Outside Washington, DC**

491.51 **Mass Mailings**

Members of Congress occasionally enter mass mailings at local Post Offices outside Washington, DC. Members or their vendors must submit a PS Form 3615, *Mailing Permit Application and Customer Profile*, to the entry Post Office when the first franked bulk mailing is made there. The proper postage statements are also required for all such mailings entered locally. For billing purposes, these postage statements are to be entered into the Official Mail Accounting System (OMAS) side of the permit system. If the office processing these mailings is not on the permit system, forward the statements to the District Finance Office for input by the OMAS coordinator.

491.52 **Individual Piece Mailings**

491.521 **General**

Members of Congress make daily individual piece mailings from their state and district offices. Both the U.S. Senate and House of Representatives maintain systems for accounting for individual-piece franked mail entered by the member's state and district offices. The Postal Service accepts these methods for billing the Senate and House of Representatives for this mail.

491.522 **Notification of Problems**

Advise Government Relations, Headquarters, of any problem in serving a state or district office of a member of Congress.

491.523 **Detention of Mail**

Except in situations involving mail security (see ASM 274), franked mail must not be detained, even though there may be indications of abuse of franked mailing privileges. The mail must be promptly dispatched and delivered to the addressee. Report any indications of abuses to the Pricing and Classification Service Center (PCSC). The PCSC must refer cases of abuse to the Postal Inspection Service for investigation and to Government Relations, Headquarters, for coordination with the appropriate congressional agency.

## 491.6 **Handling Mail With Ancillary Service Endorsements**

### 491.61 **General**

When making individual piece mailings, members of Congress may request services for undeliverable-as-addressed mail. In handling mail with these endorsements, employees must follow DMM F030 as well as this instruction.

### 491.62 **Proper Address Correction Placement**

Members of Congress use mechanical or automated equipment to update their mailing lists. Markings or endorsements that deface the original address prevent the return mail from being machine read. Consequently, the mailpiece must be processed manually at a high cost, or it may not be processed at all. Therefore, supervisors must ensure that all clerks, carriers, and other employees involved in handling mail with ancillary service endorsements do not mark on, strike through, or place a handstamp or forwarding label on the old address. All forwarding labels must be placed to the right and slightly below the original address. Other markings, endorsements, and stamps also must be placed to the right of the address block.

### 491.63 **Return of Address Correction Requested/Return Postage Guaranteed Mail**

Undeliverable-as-addressed franked mail bearing a Washington, DC, return address and ancillary service endorsement must be sent to:

MANAGER DISTRIBUTION OPERATIONS  
WASHINGTON DC P&DC  
900 BRENTWOOD RD NE  
WASHINGTON DC 066-9702

Such mail must not be returned to the individual member of Congress responsible for the mailing.

## 491.7 **Orange Bag Service — Expedited Congressional Mail**

### 491.71 **General**

Orange bag service is an expedited mail service from members' Washington, DC, offices to either postal installations or the members' district or state offices. Orange bag service pouches bypass the outgoing primary processing operation at the Washington, DC, Post Office. Orange bag service is designed to provide overnight delivery of pouches addressed to a postal installation, if the pouches are available for collection from the House of Representatives and Senate Post Offices by 2:00 p.m. Every effort is also made to provide overnight delivery of pouches addressed to members' district or state offices, if they are available for collection from the House of Representatives and Senate Post Offices by 2:00 p.m. Orange bag service pouches collected at 5:00 p.m. from the House of Representatives and Senate Post Offices are to receive second-day delivery.

**491.72 Types of Pouches**

The two types of orange bag service pouches are as follows:

- a. Orange bag service pouches addressed to postal installations. They contain franked First-Class Mail addressed to constituents and are intended to be opened and distributed. Congressional offices will attach PS Tag 11, *Congressional Mail*, to the pouch reading "Congressional Mail – Postmaster Open and Distribute." The congressional offices will also attach an appropriate air contract transportation (ACT) tag and label showing the appropriate destination processing facility.
- b. Orange bag service pouches addressed to the members' district or state offices. These contain congressional mail going to the members' district or state offices only and are to be delivered to the congressional offices unopened. Members of the House of Representatives use their own plastic orange bags with the words "US HOUSE OF REPRESENTATIVES -PRIORITY MAIL -OFFICIAL USE ONLY" printed on them for firm direct purposes. The congressional offices will attach a PS Tag 11-A, *Congressional Mail*, to the pouch reading "Congressional Mail -Do Not Open -All for Firm on Pouch Label." The congressional offices will also attach an appropriate ACT tag and a destination label reading as follows: city, state, ZIP Code on the first line; street address on the second line; and name of member of Congress on the third line.

Some congressional offices will place the date and time of dispatch on the back of the destination label in an attempt to monitor the orange bag service performance.

**491.73 Material Used for Expedited Dispatch**

The following material is required for the expedited orange bag service and can be obtained from the House of Representatives or Senate postal operations offices:

- a. No. 2 orange pouches and plastic House of Representatives orange pouches.
- b. Labels that identify the destination processing facility or Post Office, as appropriate for each type of pouch discussed in [491.72a](#) and [491.72b](#).
- c. Congressional mail PS Tag 11, *Congressional Mail*, and PS Tag 11-A, *Congressional Mail*, which are attached to the pouches to ensure proper handling as described in [491.72a](#) and [491.72b](#).
- d. Metal or plastic pouch seals, designed to lock the hasp over the metal staple on the pouch, ensuring that the pouch reaches its destination unopened.
- e. Air contract transportation plastic cards and tags containing barcoded origin and destination information for billing and routing purposes.

## 491.74 **Procedures**

### 491.741 **Congressional Offices**

Congressional offices have the following responsibilities in preparing congressional mail:

- a. Insert the destination label into the label holder on the orange pouch.
- b. Make up individual letters, facing the same way, into mail bundles secured with rubber bands to prevent loose letters in the orange bag service pouch.
- c. Distribute mail to the proper pouches. Pouches must not weigh more than 70 pounds.
- d. Close and seal the pouches.
- e. Ensure that the pouches reach the designated collection point before the scheduled Postal Service pickup.

### 491.742 **Postal Service**

The Postal Service has the following responsibilities for congressional mail:

- a. Create the appropriate pouch labeling for all orange bag service destinations, based on Postal Service transportation and distribution networks.
- b. Provide necessary training and instructions for mail makeup and pouch labeling.
- c. Furnish all needed pouches, labels, tags, rubber bands, and other supplies.
- d. Make scheduled collections of the pouches.
- e. Dispatch the pouches to the required destinations on the next available transportation to meet service requirements.
- f. Process and deliver these pouches in an expedited manner.

## 492 **Political Campaign Mail**

### 492.1 **Introduction**

#### 492.11 **General**

The American electorate votes on numerous political offices and issues. Citizens cast ballots every 4 years for president, every 2 years for one-third of the U.S. senators and all members of the House of Representatives, and at varying frequencies for governorships and other state, county, and local offices and referenda measures. During the period preceding local, state, and national primaries, special elections, and general elections, the Postal Service accepts and delivers many political campaign mailings, frequently in large quantities. These mailings are made up by individual candidates and their campaign organizations, as well as by local, state, and national committees of political parties.

#### 492.12 **Postal Service Responsibility**

The Postal Service is responsible for providing information to assist in the knowledgeable preparation and deposit of political campaign mailings, as



well as for the proper acceptance, processing, delivery, and recording of these mailings.

492.13 **Nonprofit USPS Marketing Mail Rates**

Section 3626(e) of Title 39, U.S. Code, as enacted by Public Law 95-593, permits certain USPS Marketing Mail matter to be mailed by a “qualified political committee” at the Nonprofit USPS Marketing Mail rates prescribed for qualified nonprofit organizations (see DMM 703.1.0). Also see [492.23](#) for a definition of “qualified political committee” and [492.73](#) for the standards on what mail may be sent at the Nonprofit USPS Marketing Mail rates by qualified political committees.

492.2 **Definitions**

492.21 **Political Campaign Mailings**

Any material accepted for mailing at First-Class Mail or USPS Marketing Mail postage rates that is mailed for political campaign purposes by a registered political candidate, campaign committee, or committee of a political party is classified as a political campaign mailing. This type of mailing normally uses the address of a candidate’s campaign committee or the committee of a political party as the return address. Do not confuse political campaign mailings with official mailings by members of Congress under congressional franking privileges. See [491](#) for a discussion of congressional mail.

492.22 **Registered Political Candidate or Party**

An individual or organization recognized as such by the appropriate governmental election control authority is considered to be a registered political candidate or party.

492.23 **Qualified Political Committee**

Section 3626(e)(2) of Title 39, U.S.C., defines a qualified political committee for the purpose of eligibility for Nonprofit USPS Marketing Mail rates as follows:

- a. The term qualified political committee means:
  - (1) A national committee of a political party.
  - (2) A state committee of a political party.
  - (3) The Democratic Congressional Campaign Committee.
  - (4) The Democratic Senatorial Campaign Committee.
  - (5) The National Republican Congressional Committee.
  - (6) The National Republican Senatorial Committee.
- b. The term national committee means the organization that, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of that political party at the national level.
- c. The term state committee means the organization that, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of that political party at the state level.

**492.3 Premailing Assistance****492.31 General**

Experience has shown that there will be no cause for criticism if all mailers of political campaign material are fully informed of postal requirements for prompt delivery and are assured of proper and equal handling of their mailings.

**492.32 Responsibilities**

Managers, Marketing, Customer Service districts, are responsible for ensuring proper premailing assistance to all committees of political parties, candidates for political office, and/or the candidates' campaign committees within their jurisdictions. Individuals designated by managers, Marketing, as directly responsible for contacting the committees of political parties, political candidates, and campaign organizations must follow the requirements in [492.36](#).

**492.33 Identification of Candidates**

Managers, Marketing, Customer Service districts, or their designees, must identify all candidates for election to political office who will be campaigning within their district's jurisdiction, as follows:

- a. *Presidential Candidates.* Contact state campaign headquarters. Determine locations of mailings and notify appropriate Postal Service personnel for necessary follow-up.
- b. *Congressional Candidates.* Identify all candidates for election to the Senate and House of Representatives and their principal campaign offices and notify appropriate Postal Service personnel for necessary follow-up.
- c. *State Candidates.* In statewide elections, identify gubernatorial and other candidates and their principal campaign offices and notify appropriate Postal Service personnel for necessary follow-up.
- d. *Local Candidates.* Coordinate efforts with postmasters to identify all candidates and/or campaign organizations in those areas holding local elections for county, city, township, borough, parish, and other local offices, and ensure necessary follow-up.

**492.34 Political Campaign Information Sources**

State and local boards of election and offices of secretaries of state and county clerks generally can provide information on the names and headquarters of committees of political parties; candidates for federal, state, and local offices; and their campaign organizations.

**492.35 Equal Assistance**

Equal assistance must be provided to all committees of political parties, candidates, and candidates' campaign committees, including those that do not represent major parties.

**492.36 Premailing Contact Requirements**

Make contact with the committees of political parties, candidates, and the candidates' campaign organizations at the earliest opportunity to provide

information on mail preparation requirements, mail handling procedures, and other matters discussed in [492.37](#). On-site assistance can be helpful, particularly with campaign volunteers, to identify problems in mail preparation and sack or tray labeling before deposit of the mailings. Emphasize the need to deposit the mailings at the earliest possible date before election day, particularly to candidates or organizations planning to avail themselves of the destination bulk mail center drop shipment rates. Keep records of all contacts, including a general summary statement covering the information provided to the candidates and campaign organizations.

#### 492.37 **Mail Preparation and Handling Information**

At a minimum, provide committees of political parties, candidates, and the candidates' campaign organizations with information on the following:

- a. Rates and fees, including automation and destination entry drop shipment rates.
- b. Mailing permits and authorizations. See applicable sections of the DMM for instructions on obtaining permits and authorizations for mailing at various rates. National and state political committees may be given instructions on filing for Nonprofit USPS Marketing Mail rates as a qualified political committee, as found in DMM 703.1.0 and Publication 417, *Nonprofit USPS Marketing Mail Eligibility*, section 3-1. Instructions on obtaining authorization to mail at the Nonprofit USPS Marketing Mail rates at additional offices are also found in DMM 703.1.0 and Publication 417 section 3-2.
- c. Restrictions on what may be mailed at the Nonprofit USPS Marketing Mail rates for state and national political committees (see [492.73](#)). See also Publication 417 section 5-4, and chapter 6.
- d. Preparation, makeup, and handling of mailings, including an explanation of ancillary service endorsements and address information products and services.
- e. Availability and use of mailing supplies and equipment.  
**Note:** PS Tag 57, *Political Campaign Mailing*, identifies campaign mailings during processing and distribution. PS Tag 57 is available from the Material Distribution Centers and is reusable. If mail is trayed and strapped, mailers should affix PS Tag 57 to the strap on the end of the tray near the tray label with a wire twist tie. If local postal instructions permit trays to be tendered without strapping, then PS Tag 57 should be affixed to the tray with a rubber band double looped through the handhold of the tray on the end near the tray label. Care should be taken to remove the tags from the trays after the campaign mail has been processed.
- f. Business reply mail.
- g. Disposition of undeliverable pieces.
- h. Time frames for depositing mailings.

**492.4 Processing and Delivery****492.41 General**

All managers involved in processing and delivering political campaign mailings must ensure that each mailing is handled promptly and with equal care and attention.

**492.42 Area Political Campaign Mail Coordinators**

Area Vice Presidents must appoint an Area Political Campaign Mail Coordinator and provide the name, address, and phone number of the individual assigned that responsibility to each district manager under their jurisdiction and to the Vice President, Delivery and Retail, at Headquarters.

**492.43 Late Deposit**

Inform mailers attempting to deposit political campaign mailings that may be too late for delivery by the election date under Postal Service delivery objectives of the potential for late delivery. Document and maintain this advice. See [492.5](#).

**492.44 Reports of Delays**

Give immediate attention to any reported delay in processing or delivering political campaign mailings and fully document inquiries made and subsequent action taken (see [492.53](#)).

**492.45 Handling of Undeliverable as Addressed Mail**

If a significant amount of a campaign mailing is received that is undeliverable as addressed, postmasters must inform the applicable campaign office before any action to dispose of such mail. Postmasters should also coordinate any such situations with their Area Political Campaign Mail Coordinator.

**492.5 Recordkeeping****492.51 General**

Detailed records provide the basis for a documented and factual explanation of any complaints alleging improper handling of political campaign mailings. Maintain premailing assistance and processing and delivery records for a period of 6 months.

**492.52 Premailing Assistance Records**

Individuals designated to provide premailing assistance to committees of political parties, candidates, and the candidates' campaign organizations must keep records of all contacts, including a summary statement concerning the information provided to such mailers.

**492.53 Processing and Delivery Records**

Managers, Business Mail Entry, and postmasters must keep documented records of all political campaign mailings that are deposited or received at their offices, with particular attention to those deposited or received too late for timely delivery.

At a minimum, these documented records must include the following:

- a. The name of the mailer.
- b. A sample, photocopy, or description of the mailing.

- c. The date and time the mailing was received for dispatch or delivery.
- d. The election day deadline and, if applicable, the date of requested delivery.
- e. If applicable, the approximate number of pieces not delivered before the election day deadline and/or the date of requested delivery and the reasons why delivery was not timely.
- f. The approximate volume of any USPS Marketing Mail consigned to waste upon instruction by the mailer.

## 492.6 **Answering Requests for Information**

### 492.61 **General**

Answer requests for information concerning political campaign mailings as provided in regulations implementing the Freedom of Information Act (see Handbook AS-353, *Guide to Privacy and The Freedom of Information Act*). Do not compile information not regularly compiled for Postal Service use to respond to requests.

### 492.62 **Field Managing Counsel Assistance**

If uncertain regarding the disclosure of information concerning political campaign mailings, consult the Field Managing Counsel.

### 492.63 **Questionable Requests**

Promptly report to the Postal Inspection Service any questionable attempts to obtain information concerning political campaign mailings not properly subject to disclosure.

## 492.7 **Revenue Protection**

### 492.71 **Nonprofit USPS Marketing Mail Rates**

Qualified political committees may mail qualifying matter at the Nonprofit USPS Marketing Mail rates of postage. See [492.23](#) for definitions of qualified political committees. See also DMM 703.1.0 and Publication 417 for general information on how to apply for authorization to mail at these rates and the matter that is eligible for them.

### 492.72 **Mailings Ineligible for Nonprofit USPS Marketing Mail Rates**

Individual candidates and their campaign committees do not qualify to mail at the Nonprofit USPS Marketing Mail rates. Also, qualified political committees may mail only their own matter at these rates. Qualified political committees may not make cooperative mailings at the nonprofit rates involving matter on behalf of, or produced for, individual candidates or political organizations that do not qualify for Nonprofit USPS Marketing Mail rates. Such cooperative mailings must be paid at the applicable Regular or Enhanced Carrier Route USPS Marketing Mail rates. See PS Form 3602-EZ, PS Form 3602-N, PS Form 3602-NZ, PS Form 3602-R, and PS Form 3602-C for the certifications required of Nonprofit USPS Marketing Mail mailers. Also see Publication 417 sections 5.3 and 5-4.

## 492.73 **Application of the Cooperative Mail Rules**

### 492.731 **General**

Qualified political committees are subject to the cooperative mailing requirements. However, unlike cases involving cooperative mailings between an authorized nonprofit organization and a commercial organization, there is often an ongoing relationship between the qualified political committee and the committee's candidate. A political candidate may be connected to the authorized political committee mailer by being a member of and/or financial contributor to the political party represented by the committee. The committee is, of course, interested in promoting, encouraging, and supporting the candidate's election. Postal laws and regulations do not prohibit the candidate from contributing to the committee or the committee from supporting the candidate. The concern under postal laws and regulations is whether the political candidate's financial contribution to the authorized political committee is in return for the mailing or mailings that support the candidate.

#### **Example — Proper use of contributed funds**

Politician A is a member of the qualified political committee. The qualified political committee plans to include in a mailpiece information supporting politician A's candidacy for office and has asked the candidate for a biographical sketch. The candidate provides the information and makes a contribution to the qualified political committee. The qualified political committee will retain authority to accept or reject information provided by the candidate, and the contribution by the candidate is not a contribution to pay for the mailing. This is not considered to be a cooperative mailing since the qualified political committee retained discretion over the decision to mail and the contents of the mailing.

### 492.732 **Maintaining Committee Control**

The following rules must be followed to ensure that the authorized political committee maintains control:

- a. *Mailings.* An authorized political committee may mail election-related materials, including but not limited to candidate endorsements and sample ballots, at the Nonprofit USPS Marketing Mail rates if the materials are exclusively those of the authorized political committee. An authorized political committee may make political mailings in support of its candidates, provided that no monies contributed by the candidate to the qualified committee shall be specifically earmarked for use in making the political mailing or in return for the political mailing.

#### **Example — Committee discretion retained**

Politician B, a candidate for a statewide political office, mails a check to authorized political committee C, the state committee for his party. Politician B encloses a note with the check that says: "This check is for my pro rata share of a sample ballot." Committee C has mailed a sample ballot to state residents for the past five elections. However, committee C makes the decision on whether to send sample ballots on an election-by-election basis. Committee C has not had any discussions with politician B on this subject, nor has it reached an understanding with politician B that sample ballots will be produced

and mailed. Committee C deposits politician B's check into its general fund to be used for committee expenses. Committee C will not return the check even if it decides not to mail sample ballots. Committee C later decides to mail sample ballots for the election in which politician B is a candidate. Notwithstanding politician B's contribution, this is not considered to be a cooperative mailing because committee C retained discretion whether or not to mail the sample ballots.

- b. *Contributions.* A candidate may make or solicit contributions to a qualified political committee, provided that the committee retains absolute discretion over how the funds are spent. If the candidate or other nonqualified entity pays the preparation, printing, or postage costs for the mailing in return for the qualified political committee's agreement to make the mailing, that mail matter is not eligible for the Nonprofit USPS Marketing Mail rates.
- c. *Mailing Support.* A political candidate may provide suggested copy, pictures, biographical information, or similar assistance requested by a qualified political committee that is preparing a mailing in support of the candidate. The qualified political committee may also ask a candidate to review a proposed mailpiece for accuracy. However, the qualified political committee must have final authority over the decision to mail the political matter and the contents of that matter.

#### **Example — Improper candidate funding**

Authorized political committee D announces the creation of a "Candidate's Coordinated Mailing Fund." Contributions to the fund will be used exclusively for mailings supporting candidates. Candidates E, F, G, and H contribute to the fund, and committee D makes a multicandidate endorsement for candidates E, F, G, H, and I. This would be considered a cooperative mailing. It would not be a cooperative mailing if (a) the fund created is not announced as one that will be used exclusively for mailings, and (b) committee D retained absolute discretion about whether to make the mailings at all.

#### 492.733 **Endorsements on Mail**

Mailings by qualified political committees often bear endorsements such as "Paid for by [committee] and authorized by [candidate]." These endorsements are often required by federal or state law. The presence of these endorsements alone does not disqualify the mailing from being sent at the Nonprofit USPS Marketing Mail rates. The presence of factors discussed in the preceding sections of this chapter is required to find the mailing ineligible for the special rates.

#### 492.74 **Identification**

The name and return address of the qualifying organization must appear either on the outside of the mailpiece or in a prominent location on the material being mailed at the Nonprofit USPS Marketing Mail rates.

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# 5 Mail Transportation

## 51 Introduction

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### 511 Objectives

The objectives of mail transportation policy are to collect, transport, and deliver mail expeditiously and to meet or exceed the service and quality standards established by the Postal Service™. Two conditions follow from this policy as follows:

- a. When selecting transportation modes, efficient delivery of the mail is given priority.
- b. Whenever feasible, containerization and other modern methods of transporting mail are used.

### 512 Responsibilities

#### 512.1 Headquarters

##### 512.11 Network Operations

The vice president, Network Operations, directs and establishes national policies and programs to meet Postal Service transportation needs.

##### 512.12 Logistics

##### 512.121 Manager

The manager, Logistics, has the following responsibilities:

- a. Implement Postal Service transportation policies.
- b. Develop and monitor transportation programs.
- c. Define contract requirements for air and rail transportation and international water transportation.

##### 512.122 Managers of Distribution Networks

Distribution Networks establish and manage transportation systems in their assigned geographical area to meet the daily requirements for effective and reliable movement of mail. Managers, Distribution Networks, report directly to the manager of Operations Support in each of the area offices. Each Distribution Networks has the following responsibilities:

- a. Direct the application of Postal Service transportation policy.
- b. Develop and monitor transportation programs.
- c. Define contract requirements for highway transportation.

- d. The contracting officer will solicit, negotiate, and award contracts for air taxi and highway transportation and related services.

#### 512.2 **Network Distribution Centers**

Network Distribution Centers (NDCs) furnish their Distribution Networks office with a copy of the master route file report for all highway contract routes. Each time the master route file is updated, the NDC submits a new report to the manager, Distribution Networks. The master route file must be corrected as service changes occur.

## 52 Air Transportation Service

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### 521 **Authorization**

The Postal Service is authorized to contract for domestic air transportation of mail under 39 U.S.C. 5402(b), and Section 1601(b)(1)(D) of the Airline Deregulation Act of 1978, Public Law 95-504, 92 Stat. 1745. The Postal Service contracting procedures and methods are formalized in the *Purchasing Manual*. Air transportation services must be procured under these rules.

### 522 **Types of Service**

#### 522.1 **System**

*System service* is air transportation service generally over an air carrier's entire network as described in the *Official Airline Guide* (OAG). Suppliers carry mail for which uniform compensation is provided with a boarding priority after passengers and their baggage. Freight can be boarded only following the loading of mail.

#### 522.2 **Segment**

*Segment service* is air transportation service between specific origin and destination pairs within specified time frames; suppliers carry mail at an agreed rate of compensation, with a boarding priority after passengers and their baggage. The supplier is not guaranteed minimum compensation, nor is the supplier required to guarantee a minimum lift capacity.

#### 522.3 **Network**

*Network service* provides transportation between a defined number of cities and may operate through a common hub on a designated schedule. This type of service can be rendered either by aircraft totally dedicated to the Postal Service or by dedicated space shared with passenger and freight traffic. Network rates are established by contract between the carrier and the Postal Service Logistics office. Rates are stated as dollars per trip identified as line haul and terminal handling charges.

**522.4 Air Taxi**

*Air taxi service* is air transportation service provided by certificated federal acquisition regulations (FAR) part 125, 127, or 135 carriers within specified time frames between specific origin and destination pairs where the entire aircraft is dedicated exclusively to mail transportation at an agreed rate of compensation.

**523 Contract Administration**

Policies and procedures governing the transportation of mail by contract air carriers are outlined in Handbook PO-507, *Air Contract Administrative Procedures*; Handbook PO-509, *Air Taxi Contract Administration*; and subsequent management instructions.

**524 Performance Monitoring**

Performance monitoring procedures are established to ensure compliance with contract requirements. These procedures serve as a guideline for identifying mishandlings and other service failures that affect the delivery or security of the mail. Ramp and/or transfer clerks are responsible for recording mishandlings of mail by air suppliers.

**525 Irregularities Reporting**

Irregularities are documented on site by recording all pertinent elements from the air contract transportation (ACT) tag routing label, pouch, or tray slide label. To report irregularities for domestic air mail, complete and adjudicate PS Form 2759, *Report of Irregular Handling of Mail*.

**526 Certification and Payment**

The air contract data collection system (ACDCS) and air contract support system (ACSS) automate the certification and payment of mail to air suppliers under each type of contract. The Postal Service provides documentation to the air supplier, identifying mail assigned to a contract, contract data, and weight. The origin records are automatically transmitted to the St. Louis Accounting Service Center (ASC) on a frequency determined by the ASC. In locations where ACDCS/ACSS is not available, PS Form 2756, *Dispatch Record/Certification of Air Taxi Service Performed*, must be prepared by the administrative official, with a copy given to the supplier.

## 53 Highway Contract Service

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**531 Authorization**

The Postal Service is authorized to contract for surface transportation of mail under 39 U.S.C. 5005. Regulations for procuring transportation contracts by highway are contained in the *Purchasing Manual* (see 4.5.8 and Appendix B for Contract Clauses). Procedural guidance regarding highway contracts is contained in Handbook PO-513, *Mail Transportation Procurement Handbook*.

## 531.1 **Types of Service**

### 531.11 **General**

There are three types of highway transportation contracts: regular, temporary, and emergency. Under each of these contract arrangements, service is procured for either transportation or box delivery. Transportation services contracts provide service between postal facilities, mailer plants, and similar facilities. Contract Delivery service routes are similar to rural delivery service and provide home or business delivery of mail.

### 531.12 **Regular**

A regular highway transportation contract is a fixed-term contract that cannot exceed four years unless warranted by special conditions or the use of special equipment. In these cases, the contract may be for a six-year term.

### 531.13 **Temporary**

A temporary highway transportation contract is a short-term contract other than an emergency contract. It may not exceed two years and may be terminated by either party without entitlement or indemnity. A one-time renewal term is allowed, not to exceed two years.

### 531.14 **Emergency**

An emergency contract may be entered into only when an emergency exists, and must terminate when the emergency ceases and the Postal Service is able to otherwise obtain service. No emergency contract may remain in effect more than 6 months without the approval of the next-higher level of contracting authority. Emergency highway transportation contracts are entered into to meet unusual needs when an emergency occurs that interrupts normal transportation services, such as a catastrophic event, strikes or labor disputes, death of a contractor and the estate will not continue service, suspension or removal of a contractor, or generation of unexpected mail volume. Emergency contracts may not be renewed.

## 532 **Basic Service Records/Regular Service Exceptions**

PS Form 5398, *Transportation Performance Record*, or PS Form 5399, *Contract Route Performance Record*, is completed as documentation for transportation service. Generally, PS Form 5399 is used at associate offices to document service for a specific highway contract route (HCR) and PS Form 5398 is used to record every HCR trip scheduled to serve that facility. The administrative official reviews these forms and takes any necessary action. PS Forms 5398 and 5399 are filed at the office that completes them.

## 533 **Contract Administration**

### 533.1 **Contracting Officer**

The contracting officer (CO) has sole authority for committing the Postal Service contractually; that is, to award, amend, terminate, or otherwise alter the contract provisions. The CO also has final authority to approve or deny access to mail or equipment and route recommendations.

### 533.2 **Administrative Official**

The administrative official is a Postal Service official designated by the manager, Distribution Networks (for transportation routes) or the District manager (for CDS routes) to supervise and administer the performance of mail transportation and related services by suppliers. Each contract names the responsible administrative official.

Administrative officials are not authorized to award, agree to, amend, terminate, or otherwise change the provisions of the contract. Administrative officials are responsible for ensuring supplier compliance with the operational requirements of highway contract routes and administering functions related to performance of that service. Specifically, administrative officials are responsible for the following:

- a. Supervising the supplier's operations daily to ensure contract compliance, including necessary recordkeeping.
- b. The administrative official for the contract is responsible for obtaining screening information from highway transportation suppliers on contractor personnel and for verifying their eligibility.
- c. Investigating irregularities and complaints regarding service on the route and taking corrective action as discussed in 535, below, and reporting to the CO any full or partial trips not performed, including the miles of service omitted and the reason for omission.
- d. Recommending establishment, discontinuance, or modifications to existing routes.

### 533.3 **Performance Monitoring**

The contracting officer is responsible for monitoring supplier performance to ensure that the supplier provides all the services and equipment required under the terms of the agreement. To do this, the contracting officer appoints an administrative official to record contract performance on a day-to-day basis. This is generally the postmaster or manager of the facility where the highway contract route originates. The contracting officer outlines the duties and responsibilities of the administrative official and provides guidance and instruction for properly completing forms and otherwise documenting contract performance. The contracting officer may request additional performance reports, if necessary.

## 534 Irregularities Reporting

### 534.1 PS Form 5500

Use PS Form 5500, *Contract Route Irregularity Report*, to report contract route irregularities, including safety deficiencies involving highway contract route (HCR) vehicles and equipment, or a driver's unsafe work practices and procedures while on postal premises. Administrative officials, postmasters, and supervisory officials at large installations other than Post Offices™ are authorized to issue PS Form 5500 to suppliers serving their facilities.

### 534.2 Administrative Officials' Actions

#### 534.21 Review

Administrative officials review the irregularities reported and the supplier's comments in section 2 of PS Form 5500, consult with the supplier, and take appropriate corrective action.

#### 534.22 Conference

#### 534.221 Persistent Irregularities

If irregularities persist or become more serious, the administrative official arranges a conference with the supplier. At this conference, the administrative official informs the supplier of the number and gravity of the irregularities, of the need for immediate correction, and the serious consequences that will ensue if they are not corrected immediately.

#### 534.222 Memorandum for the File

Following this conference, the administrative official writes a memorandum for the file, recording all pertinent statements made by each of the parties during the conference and sends a copy of this memorandum to the supplier and the CO.

#### 534.23 Written Warning

If the conference does not improve the service, the administrative official warns the supplier that the case will be forwarded to the CO for appropriate attention if service does not improve within 3 days. This warning is confirmed by a letter advising the supplier that failure to correct the irregularities may cause termination of the contract for default.

#### 534.24 Recommendation

If service still has not improved by the end of the 3-day period, the administrative official forwards the complete file to the CO. The memorandum transmitting the file must briefly describe the irregularities and recommend appropriate action.

### 534.3 Exceptional Service Types/Extra Trips

The administrative official is authorized to order a contractor to perform additional trips between points regularly served. If another official requires an extra trip, he must make request to the administrative official of the route. Note the following:

- a. *PS Form 5397*. Each trip certified for payment must be supported by PS Form 5397. The original is retained in the office of the administrative

official. When the need for additional trips is anticipated, postmasters and heads of other facilities are furnished with PS Forms 5397 in advance. When an additional trip is required by a postmaster or other manager who does not stock PS Form 5397, the administrative officer provides a PS Form 5397 to cover the additional trip.

- b. *Supporting Document.* The supporting document is the performance record normally maintained by the installation (i.e., PS Form 4660 for NDCs and PS Forms 5398 or 5399 for other installations).

## 535 Certification and Payment

### 535.1 General

When a contract has been signed by the supplier, the CO records the signed contract to the St. Louis Accounting Service Center (ASC). The ASC makes payments for service performed only after a certified copy of the contract is filed by the CO to the ASC.

### 535.2 Omitted Service Deductions

The contracting officer, by considering circumstances and past records, must decide whether deductions should be made for service omitted. Deductions are not made for omitted service caused by catastrophes or acts of God. If deductions are warranted, the contracting officer prepares orders on PS Form 7440, *Contract Route Service Order*.

# 54 Rail Transportation Service

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## 541 Authorization

In accordance with the provisions of 39 U.S.C. 5005, the Postal Service is authorized to contract with railroads for mail transportation whenever rail transportation meets delivery standards and is more economical than other modes of transportation. The type of service, frequency, and points served by rail carriers are specified by the Postal Service and set by contract.

## 542 Types of Service

### 542.1 Trailer and Container-on-Flatcar Service

#### 542.11 Railroad Responsibilities

All major railroads provide trailer-on-flatcar (TOFC) service and container-on-flatcar (COFC) service between points on their respective systems. They also provide interline with other railroads for trailers destined to points beyond their system. Rail transportation services are almost universally provided as door-to-door service. The Postal Service is responsible for providing only a small percentage of the transportation to the origin ramp and from the destination ramp. The Postal Service, when appropriate, will accomplish the pickup or delivery by postal vehicle service or highway contract service. Otherwise, the railroads are responsible for providing inbound and outbound drayage as well as maintaining a pool of

trailers at selected sites. This mail service is authorized by contract arranged by solicitation (request for proposals).

#### 542.12 **Trailer Dispatch**

Providing a trailer to the rail carrier after the cutoff time usually causes a 24-hour delay to the mail. Therefore, managers at facilities that dispatch rail trailers must know the contracted cutoff times. At the rail ramp, trailers are loaded onto flatcars. The flatcars are then made up in appropriate blocks by destination. In most cases, solid trains of TOFC/COFC are operated; occasionally, however, flatcars are transported in regular freight trains. In any case, the railroads are responsible for maintaining service as specified in the contract.

#### 542.2 **Passenger Train Service**

The National Railroad Passenger Corporation (Amtrak) is the primary railroad carrying passengers nationwide. Amtrak also transports U.S. Mail® on selected trains. Due to the unique service Amtrak provides, this contract is a sole-source procurement. All terminal handling operations are provided by Amtrak and are included in the line haul rate.

### 543 **Contract Administration**

#### 543.1 **Contracting Office**

National Mail Transportation Purchasing, Headquarters, is the contracting office for all rail transportation contracts. The contracting office is responsible for executing all contracts and amendments.

#### 543.2 **Administrative Official**

Administration of rail contracts is delegated to Modal Operations and Requirements and the local distribution networks manager, primarily to ensure that rail contracts provide the service to which they are committed.

### 544 **Performance Monitoring**

All officers and employees of the Postal Service involved in rail transportation functions are responsible for monitoring railroad contract service performance. Administrative officials are responsible for periodic reviews and spot audits of certifications for accuracy and adherence to prescribed procedures. When appropriate, reports and recommendations are submitted to the contracting office regarding service performance.

### 545 **Irregularities Reporting**

#### 545.1 **Rail Management Information System**

Irregularities for freight rail traffic are identified and reported through the Rail Management Information System (RMIS). Irregularity reports are generated electronically, based on data that is manually collected and inputted through keyboards at BMC control centers (see [546.6](#)).



**545.2 Contracting Office's Actions**

The contracting office may assess fines against railroads, divert traffic, or terminate a contract for various contract failures. Primarily, these failures include failure to transport mail according to the contract and failure to observe contracted transportation schedules.

**545.3 PS Form 5179, Notification/Record of Mail Irregularity, Amtrak**

For irregularities concerning Amtrak, prepare PS Form 5179, *Notification/Record of Mail Irregularity*, and distribute it according to the instructions on the form.

**546 Certification and Payment****546.1 General**

The RMIS generates reports that are used for monitoring performance and recording and certifying payment of all services performed by railroads other than Amtrak under the terms of the contracts, including detention charges. On a weekly basis, the rail carriers are provided Report No. LAB 440P3, *RMIS Car Van Line Report*, and Report No. LAB 330, *Detention/Misuse Report*, by the St. Louis ASC. After a review, the rail carrier certifies the accuracy of the form and returns the certification to the ASC to initiate payment.

**546.2 Noncontract Service**

There are times in mail transportation service when trailers are transported over routes or segments for which there are no rates in effect. This can be caused by the origin office giving incorrect routing instructions or the origin rail carrier misrouting a trailer. The following instructions establish a standard operating procedure to make payment when there are no rates in effect:

- a. All claims for line haul irregularity payments from the rail carrier must be submitted to the origin Distribution Networks for review. Claims for accessorial charges, such as detention, must be submitted to Distribution Networks where the claim applies.
- b. After reviewing the documentation, Distribution Networks prepares and submits an electronic PS Form 5994, *Payment Adjustment Authorization for Railroad Service Performed*.

**546.3 Electronic Data Interchange**

Electronic data interchange (EDI) is the electronic interchange of data between computers. This is the preferred means by which routings are passed to the rail carriers and by which the rail carriers transmit car locator messages (CLMs) to the Postal Service. In cases of conflicting routing instructions between EDI and handwritten instructions, the EDI transmission is considered correct. Usually, this form of communication results in correctly rated payments to the rail carrier.

#### 546.4 **PS Form 5186, Mail Movement Routing Instructions**

In addition to the EDI transmission, PS Form 5186, *Mail Movement Routing Instructions*, is prepared by the dispatching office. To minimize incorrect routing instructions caused by the Postal Service, offices capable of generating electronic routing slips, which mirror the EDI transmission, must do so. All other offices must use National Air and Surface System (NASS) products to manually prepare PS Form 5186. NASS products are provided by Distribution Networks.

#### 546.5 **Misroutings**

##### 546.51 **Misroutings Caused by Rail Carrier**

##### 546.511 **Rail Payment Certification**

In the event a rail carrier mishandles a trailer of mail, an adjustment may be needed to facilitate rail payment certification.

##### 546.512 **Receipt of Claim**

Upon receipt of a claim and substantiating documentation from the railroad for misrouted trailers for which there is not a rate in the contract, the origin Distribution Networks must investigate the claim to ascertain that it is correct and prepare a file, complete with documentation and verification of arrival at destination, for the contracting office's signature. Distribution Networks will forward the documentation file to the contracting officer and prepare an electronic PS Form 5994, *Payment Adjustment Authorization for Railroad Service Performed*. After reviewing the documentation and making a positive determination of its applicability, the contracting officer will approve the electronic PS Form 5994 and file a screen print of it and the applicable documentation. The St. Louis ASC will complete payment to the railroad upon receipt of the electronic PS Form 5994.

##### 546.513 **Contract Segment Rate**

If the claim includes contract segments for which a rate is in the contract, but the Postal Service was instrumental in causing the misrouting, Distribution Networks will prepare the PS Form 5994 based on the contract rates and send the PS Form 5994 directly to the St. Louis Accounting Service Center (ASC). The documentation will be kept on file at Distribution Networks.

##### 546.514 **Carrier Misrouted Mail**

If the rail carrier misrouted the trailer and was provided a correct routing by the Postal Service, the carrier providing transportation will be paid for service provided. The carrier who misrouted the trailer will be held responsible for excess costs in accordance with MI PO-540-2001-4, *Rail Payments Manual Processing*.

##### 546.52 **Exceptional Misroutings**

If a misrouting occurs that is not covered by the procedures contained in these instructions, the processing office should contact the contracting officer (or designee) for further instructions.

**546.6 Noncompliance Deductions****546.61 Penalty Actions**

Fines and deductions for irregularities and omissions in handling and transporting U.S. Mail may be assessed against railroads as specified in the contracts. The purpose of these penalty actions is to maintain proper standards of service and to ensure that necessary remedial action is taken.

**546.62 Procedures**

The RMIS provides reports that describe noncompliant activities on a trailer-by-trailer basis. The ASC provides a copy of these reports to the contracting officer, the rail carrier, the origin and destination Distribution Networks, and the bulk mail centers in those areas where the movement originated or destined. The railroad may request relief from the contracting officer, with appropriate documentation, for fines over \$500 or involving certain holidays. To allow for Postal Service error and *force majeure*, the railroad is given 10 percent relief automatically on all remaining fines. The remainder after this process is completed is assessed against pending revenue without further consideration. Distribution Networks monitors the reports for repeated or serious offenses and recommends actions, up to and including termination, to the contracting officer. The contracting officer will review the recommendation and make a final determination.

## 55 Water Route Service

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**551 Authorization**

The Postal Service is authorized under 39 U.S.C. 5005 to enter into contracts with carriers for the transportation of mail by water routes. The U.S. Code lists transportation of mail by surface water carrier and addresses transportation of mail by vessel separately in chapter 56, which primarily concerns water transportation of mail to international destinations. Regulations for procuring transportation contracts by water are contained in the *Purchasing Manual* (see 4.5.8 and Appendix B for Contract Clauses). Policies regarding water contracts are contained in Handbook PO-513, *Mail Transportation Procurement Handbook*.

**552 Types of Service****552.1 Domestic Inland Water Contract**

The Postal Service contracts for the transportation of mail in vessels over rivers, lakes, bays, and, in some cases, seas, when necessary to effect the timely and cost-effective delivery of mail. Domestic inland water contracts serve points within the 48 contiguous states or between points within Alaska, Hawaii, or U.S. territories and possessions. Typically, such contracts involve the use of small boats and ferries rather than ships. Domestic inland water contracts may include provisions that require box delivery, collection, and other services similar to those furnished by highway suppliers or rural carriers. Domestic inland water contracts may serve homes on rivers,

islands, or other points accessible by surface water transportation only, or may traverse bodies of water as a means of providing the most efficient type of service.

#### 552.2 **Domestic Offshore Water Contract**

A contract for the transportation of mail in vessels between points in the 48 contiguous states and points in Alaska, Hawaii, or U.S. territories and possessions is identified as a domestic offshore water contract. Domestic offshore water contracts typically provide for mail to be transported in seagoing containers in vessels across oceans.

#### 552.3 **International Ocean Contract**

Contracts with United States or foreign-flag carriers are used to transport mail by vessel from points in the United States or its territories and possessions to points in foreign countries. These contracts are for service in which mail is loaded into containers and sealed by Postal Service employees, then transported by steamship (ocean carrier) companies across oceans to postal administrations in foreign countries.

#### 552.4 **International Ocean Per Pound Service**

When volumes cannot be generated that make container service economical and service oriented, container loads may be tendered to U.S. and foreign-flag steamship companies for transportation in accordance with a fixed schedule of rates established in chapter 4 of the *Purchasing Manual*, or a rate negotiated by the appropriate Postal Headquarters organization.

### 553 **Contract Administration**

#### 553.1 **Domestic Inland Water Contracts**

The administration of domestic inland water contracts is the same as that covering highway transportation contracts as set forth in [533](#). Service is solicited by contracting officers and contracts are entered into by the contracting officer. Administrative officials for domestic inland water contracts are assigned in the same manner as for highway contracts.

#### 553.2 **Domestic Offshore Water Contracts**

Domestic offshore water contracts are solicited for and awarded by contracting officers. Domestic offshore water contracts are similar to international ocean contracts because, in most cases, service is provided by carriers that also serve international ocean transportation routes. Administrative officials for domestic offshore water contracts are assigned in the same manner as for highway contracts.

#### 553.3 **International Ocean Contract**

International ocean contracts are solicited and awarded by National Mail Transportation Purchasing. The contracting officer assigns administrative functions to administrative officials, usually the managers of the foreign exchange facilities.

**553.4 International Ocean Per Pound Service**

Postal employees authorized to dispatch international mail may tender properly processed and documented mail to carriers who provide ocean-going service that meets the service needs of the Postal Service and agree to accept payment at the prescribed rates.

**554 Performance Monitoring**

The contracting officer is responsible for monitoring supplier performance to ensure that the supplier provides all the services and equipment required under the terms of the agreement. To do this, the contracting officer appoints an administrative official to record contract performance on a day-to-day basis. This is generally the postmaster or manager of the facility where the water contract route originates. The contracting officer outlines the duties and responsibilities of the administrative official and provides guidance and instruction for properly completing forms and otherwise documenting contract performance. The contracting officer may request additional performance reports, if necessary.

**555 Irregularities Reporting****555.1 PS Form 5500, Contract Route Irregularity Report**

Use PS Form 5500, *Contract Route Irregularity Report*, to report contract route irregularities, including safety deficiencies involving water contract route (WCR) vehicles and equipment or a driver's unsafe work practices and procedures while on postal premises. Administrative officials, SCF postmasters, and supervisory officials at large installations other than Post Offices are authorized to issue PS Form 5500 to suppliers serving their facilities.

**555.2 Administrative Officials' Actions****555.21 Review**

Administrative officials review the irregularities reported and the supplier's comments in section 2 of PS Form 5500, consult with the supplier, and take appropriate corrective action.

**555.22 Conference****555.221 Irregularities**

If irregularities persist or become more serious, the administrative official arranges a conference with the supplier and the contracting officer (or a representative). At this conference, the administrative official informs the supplier of the number and gravity of the irregularities, the need for immediate correction, and the serious consequences that will ensue if the irregularities are not corrected immediately.

**555.222 Memorandum for File**

Following this conference, the administrative official writes a memorandum for the file recording all pertinent statements made by each of the parties during the conference and sends a copy of this memorandum to the supplier and the contracting officer.

**555.23 Written Warning**

If the conference does not improve the service, the administrative official warns the supplier that the case will be forwarded to the contracting officer for appropriate attention if service does not improve within 3 days. This warning is confirmed by letter, advising the supplier that failure to correct the irregularities may cause contract termination for default. A copy of the letter must be sent to the surety or sureties, if any.

**555.24 Recommendation**

If service still has not improved by the end of the 3-day period, the administrative official forwards the complete file to the contracting officer. The memorandum transmitting the file must briefly describe the irregularities and recommend appropriate action.

**556 Certification and Payment****556.1 General**

When a contract has been signed by the supplier, the contracting officer forwards the signed contract to the St. Louis ASC. The ASC makes payments for service performed only after a certified copy of the contract is filed by the contracting officer to the ASC.

**556.2 Omitted Service Deductions**

The contracting officer, by considering circumstances and the terms of the contract, must decide whether deductions should be made for service omitted. If deductions are warranted, the contracting officer prepares orders on PS Form 7440, *Contract Route Service Order*. Such amounts will be deducted from the supplier's pay.

## 56 International and Military Mail Transportation Service

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**561 International Mail****561.1 Authorization**

International mail consists of all civilian letters and cards (LC), printed matter (AO), and Parcel Post (CP) exchanged between the United States and foreign administrations. Foreign mail refers to the exchange of mail between civilian postal administrations. The Acts of the Universal Postal Union (UPU) and the Postal Union of the Americas, Spain, and Portugal (PUASP) govern the international exchange of letter-class mail and printed matter. Policy covering distribution, routing, and transportation of international mail is the responsibility of International and Military Mail Operations, Logistics, Headquarters.

**561.2 Types of Service****561.21 Airmail**

All classes of international mail (LC, AO, CP) are transported by air under the following guidelines:

- a. The foreign postal administration authorizes this type of service.
- b. The specified airmail postage rates are paid (see [521](#) and the *International Mail Manual* (IMM) for authorizations and rates).

**561.22 Surface Mail**

All classes of international mail (LC, AO, CP) are given surface transportation when the surface postage rates are paid (see IMM for rate information).

**561.23 International Surface Air Lift™**

See IMM 293.

**561.24 International Priority Airmail**

See IMM 292.

**561.3 Transportation Selection****561.31 Airmail**

International airmail is offered to American flag air carriers at a rate established by the Department of Transportation (DOT). Where no American-flag service exists or the existing service is inadequate, mail can be offered to a foreign-flag air carrier. Instructions governing the distribution and routing of international airmail to the appropriate U.S. gateway exchange office and from there to the foreign postal administrations are published by International Network Operations. Detailed explanations and procedures for handling international airmail appear in Handbook T-5, *International Mail Operations*.

**561.32 Surface Mail**

International surface mail is transported by both American- and foreign-flag carriers at a pound rate or under contract for full container loads. The regulations governing both loose bag (pound rate) shipments and container contracts appear in the *Purchasing Manual*. Instructions governing the surface transportation of international mail, including distribution to the appropriate U.S. surface international exchange office and from there to foreign postal administrations, appear in Handbook T-5, *International Mail Operations*.

**562 Military Mail**

Military mail is that mail addressed to or between the United States, its territories and possessions, and overseas military Post Offices (APOs and FPOs). The military postal system is an extension of the domestic postal system, regarding postage rates, mail acceptance, handling, and domestic transportation. Detailed instructions on the handling and dispatch of military mail are included in Handbook T-7, *Distributing, Dispatching, and Transporting Military Mail by Air*.

## 57 Mail Transport Equipment

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### 571 Policy Overview

Mail transport equipment (MTE) is a system of containers (including sacks and pouches, trays, wheeled containers, pallets, etc.) used to contain mail during processing or transportation within or between facilities by the Postal Service, its customers, or contractors. The design, procurement, and use of each item requires servicewide implementation of concepts that help achieve the safe, secure, and timely movement of mail with a minimum of handling and effort.

### 572 Organizational Goals

#### 572.1 General

The efficient management of mail transport equipment is essential to achieve the U.S. Postal Service's goals, particularly in the areas of safety, customer service, productivity, and energy conservation.

#### 572.2 Safety

Safety is a primary concern of the Postal Service, and all employees have an ongoing obligation to ensure a safe work environment. Newer, more efficient mail transport equipment reduces the need for bending or lifting. When properly utilized (including the avoidance of overloading), this equipment also allows large amounts of mail to be moved easily with greater stability and reduced risk of injury. Defective mail transport equipment is to be promptly removed from service for repair or disposal. See [583](#) for further guidance.

### 573 Principles of Containerization

#### 573.1 Policy

It is the policy of the Postal Service to containerize all classes of mail wherever possible. Containerization increases operational efficiency, reduces damage to the mail, and minimizes employee injuries.

#### 573.2 Planning

##### 573.21 General

Planning is as essential to efficient, cost-effective containerization as are the containers themselves. Containers produce cost savings when they are used properly and if they are available when and where they are needed.

##### 573.22 Operations

Operational planning ensures the most efficient use of appropriate containers within or between specific operations. It considers the efficient use of existing transportation to return the containers for reuse. Excess mail transport equipment must not be stored at facilities. Container planning procedures are contained in Handbook PO-502, *Container Methods*.



## 574 Mail Transport Equipment Types

### 574.1 Multipurpose Containers

Multipurpose containers are designed to transport all types of mail between designated facilities. Handbook PO-502 contains detailed descriptions, authorized applications, and procedures for using multipurpose containers. There are three types of multipurpose containers:

- a. *General purpose mail containers* (GPMCs). GPMCs are nestable (i.e., they can be stored in an L-shaped configuration), four-sided, transport and distribution containers.
- b. *Eastern region mail containers* (ERMCs). The ERMCM is an adaptation of the GPMC. With the addition of a plastic liner, a full height web door, tow bar, and coupler pin, it becomes a versatile container for smaller, bulk loaded items. The ERMCM can be equipped with a removable tow pin for use with BMC tow conveyors.
- c. *Post-Con Containers*. The Post-Con was replaced by the GPMC and ERMCM and is no longer procured. Although there are still some Post-Cons in use, the container is now considered obsolete.

### 574.2 Tray Containers

#### 574.21 Description

There are three distinct types of tray containers. Each has wheels. The tray cart (two sizes) consists of an angle iron framework with fixed shelves. The A-frame container has fixed inward-sloping shelves. The letter tray transport (two sizes) makes use of runners rather than shelves to secure letter trays in place.

#### 574.22 General Uses

Tray containers have the following general uses:

- a. Tray carts are designed to be used in conjunction with four-sided plastic letter trays, managed mail trays (MM trays), and flats trays. They are suited for use as a staging unit for trayed mail or as a mail transport unit.
- b. Letter tray transporters have two main functions: storing and transporting four-sided plastic letter trays.
- c. A-frame containers were originally designed for use with three-sided plastic letter trays, but the height between the shelves makes them equally well suited for use with four-sided plastic letter trays and MM trays.

**Note:** See Handbook PO-502 for detailed descriptions, authorized applications, and procedures for using tray containers.

### 574.3 Bulk Mail Containers

#### 574.31 Description

In-house containers are four-wheeled, flatbed platforms with end frames. They are equipped with a tow pin assembly, a code card holder, and a chalkboard for routing information. Over-the-road containers (OTRs) are

large heavy-duty aluminum containers designed to move bulk business mail and Parcel Post. This container has two doors. One is full length and is designed for use with automatic container unloaders or for safe manual unloading of bulk items. The other is half length and opens from the top of the container. OTRs are equipped with a handbrake, a front maneuvering bar, chalkboard, and a tow pin. OTR Amtrak containers are similar to OTR containers but are equipped with a longer tow pin for securing the containers to the floors of Amtrak railroad baggage cars. The tops of Amtrak containers are painted red, and they bear the warning "FOR AMTRAK USE ONLY." Amtrak containers are also equipped with two safety latches to prevent accidental opening of the full length door during transit.

574.32 **General Uses**

In-house containers are used only in Network Distribution Centers (NDCs). They are useful for staging and transporting sacks, nonmachinable outsides (NMOs), and other equipment. Use OTRs to transport bulk mail between a bulk mail center and the processing and distribution centers, stations, and branches within the NDC service area. Amtrak containers are to be used only to carry First-Class Mail® and Periodicals shipped via Amtrak and between Amtrak stations and the primary shipping/receiving postal facilities. They will not be used as substitutes for OTR or multipurpose containers. Empty excess Amtrak containers should be transported via Amtrak to Springfield, Massachusetts, for staging.

**Note:** Detailed descriptions, applications, and procedures for using bulk mail containers may be found in Handbook PO-502.

574.4 **Platform Trucks/Trailers**

574.41 **Description**

There are several sizes of platform trucks and trailers. All are low, wooden platforms mounted on wheels and casters with a detachable pipe frame at each end to restrain loads.

574.42 **General Uses**

All platform trucks and trailers are designed for the in-plant movement of bulk mail.

574.5 **Hampers**

574.51 **Description**

Hampers consist of a high strength steel wire frame mounted on a wooden base and with a canvas liner installed on the frame. Large hampers move on six casters. The two center casters are stationary. Directional control is achieved by using the corner casters, which rotate 360 degrees. The smaller hampers have four casters. Hampers are available in two sizes and are stackable and nestable.

574.52 **Authorized Uses**

The following are the only authorized uses for hampers:

- a. Both the 1046 and 1033 hampers may be used to distribute parcel post, irregular parcel post, and bundles.

- b. The 1046 hamper may be used to distribute letter and flat bundles if the receiving operation is equipped with a mechanized hamper dumper.
- c. The 1046 hamper may be used to dispatch letter and flat bundles between offices if more efficient containers are not available.
- d. Both sizes of hampers may be loaned to mailers for use in preparing mail, provided that the mailers adhere to the restrictions of this section. Hampers may not be used for any other purpose than transporting mail between a mailer's plant and the dispatching postal facility. Hampers and all other MTE lent to mailers may not be used to store or transport nonmail (unfranked/unaddressed) materials within or between a mailer's work areas. Local postal management must ensure strict compliance with this requirement.
- e. Hampers may be used in collection vehicles if they can be safely loaded and unloaded (e.g., by use of a hydraulic tailgate, dock leveler, or a scissors lift).
- f. When more suitable equipment is not available, hampers may be used to distribute, store, and work empty MTE such as sacks, pouches, and MM trays.
- g. Hampers may be used by carriers in the delivery units to transport mail to their vehicles so long as care is taken to place the emptied hampers in secure storage, protected from exposure to the elements and excessive dirt. Trays and flats must be loaded on top of parcels.

**Note:** Handbook PO-502 contains detailed descriptions, applications, and procedures for platform trucks, trailers and hampers.

#### 574.6 Special Purpose Containers

Collection box inserts, CON-CON containers, wiretainers, and utility carts are special purpose containers. The following is a description of each:

- a. *Collection box inserts* are tapered, lightweight, corrugated fiberboard or corrugated plastic tote boxes with handholds on either side and sturdy wire rims installed at the top. They are used to catch mail deposited in collection boxes and to make preliminary sortings of collection mail into other containers.
- b. *CON-CON containers* are lockable Registered Mail® containers that are rectangular and are made of heavy-duty plastic. The CON-CON base is blue, and the top is red. Each container is serially numbered and equipped with a label holder on the top. They are made in three sizes. CON-CON containers are used only for the dispatch of Registered Mail.
- c. *Wiretainers* are made of rigid steel wire mesh material. Three types were purchased for Postal Service use: collapsible, noncollapsible, and noncollapsible with casters. All are stackable and equipped with a side door for manual loading or unloading. These containers make efficient use of vehicle capacity when stacked. They are used in SCF (incoming mails), in opening units (Operation 115) as a distribution unit, and as a

mail transport container for the dispatch of Operation 115 outgoing mail, parcel post, and nonmachinable outsides (NMOs).

- d. *Utility carts* are wheeled, chrome- or zinc-plated, grocery style carts with a canvas liner installed on the frame. The basket of the container is hinged and can be tilted to various angles. The cart is nestable when the basket is in the vertical position. They are especially useful on the sweep side of letter sorting machines (LSMs), in the separation of bundled mail, irregular parcels and pieces (IPPs), or in culling operations. Because of their size, their use is limited in distribution operations. They are not suited for dispatching.

## 574.7 In-Plant and Surface Trays

### 574.71 Description

In-plant and surface trays include four-sided plastic letter trays (two types), four-sided plastic flat trays, three-sided flat trays, small parcel and bundle trays, and multipurpose, four-sided corrugated plastic trays. All except the three-sided flat tray (which is solid fiberboard) are constructed of durable, crack- and shatter-resistant corrugated or hard plastic. All have convenient handholds at either end to facilitate safe manual handling.

**574.72 General Uses**

The following are general uses for the trays listed above:

- a. Four-sided plastic or corrugated plastic MM trays are suited for preparing, transporting, and staging mail. This tray remains very stable when stacked. There are three types in service: the corrugated plastic MM tray, the solid plastic trays with memory tabs, and solid plastic trays without memory tabs. Trays with metal memory tabs are for use in facilities with exclusively automated sorting. Trays with memory tabs must remain in those facilities.
- b. Four-sided plastic flats trays are suitable for use as an in-plant mail transport unit and as mail staging units. They have limited applications in mail preparation operations.
- c. Three-sided flats trays are designed for use as flats distribution receptacles in conjunction with multipurpose containers equipped with optional shelves.
- d. Small parcel and bundle trays are designed to be used with the small parcel and bundle sorter (SPBS), and to transport small parcels and bundles between in-plant locations. The SPB tray is made of corrugated plastic, has a maximum capacity of 70 pounds, and measures 17-3/4 inches by 20 inches at the top, and 14-3/4 inches by 16-2/5 inches on the bottom.
- e. Multipurpose, four-sided corrugated plastic trays are designed for use with automated flat sorting machines.

**Note:** Handbook PO-502 contains detailed descriptions, authorized use, and procedures for in-plant and surface trays.

**574.8 Pallets****574.81 Description**

*Pallets* are rigid plastic, wooden, or presswood platforms on which mail is stacked for movement as a single unit. Three types of pallets are used. The standard Postal Service pallet is made of molded wood fiber (presswood) and permits four-way forklift entry. The hardwood pallet also permits four-way entry, but it is stackable rather than nestable. The plastic pallet is nestable, offers a longer life span, and also permits four-way entry. All pallets are 48 by 40 inches in size and are listed in the Equipment Inventory Reporting System (EIRS) inventory.

**574.82 General Uses**

Pallets generally contain plant-loaded mail that has been verified and accepted at the mailer's plant. Pallets are also used for drop shipments of Periodicals and USPS Marketing Mail.

**Note:** Handbook PO-502 contains detailed descriptions, authorized uses, and procedures for pallets.

**574.9 Sacks and Pouches****574.91 Sacks**

Sacks are containers made of sewn fabric, usually nylon, polyester, canvas, or plastic, with an opening at one end. A cord or drawstring is threaded through the metal grommets or openings in the fabric. A metal or plastic cord fastener provides a positive closure for the sack and doubles as a label holder. The metal grommets are also used to hang the sack on the hooks of a sack rack. See Handbook PO-502 for detailed descriptions.

**Note:** Handbook PO-502 contains detailed descriptions, authorized uses, and procedures for sacks.

**574.92 Pouches**

Pouches are also made of sewn nylon, cotton, or polyester fabric with an opening at one end. Unlike sacks, however, pouches have a leather neck strap with a closing latch and eye attached near the opening. Metal grommets are provided for hanging the pouch on the hooks of a pouch rack. A label holder is riveted to the inside of the opening above the neck strap.

**575 Locks and Closures****575.1 Locks****575.11 General Uses**

Locks are used for sealing Registered Mail and other valuable mail shipments. They are also used for locking surface pouches of First-Class Mail.

**575.12 Description**

The Postal Service uses LA and rotary locks. The LA lock is U-shaped, and made of brass or steel. The words "U.S. Mail" are engraved on the front of the lock. The rotary lock is oval and made of brass. The words "Registered U.S. Mail" are engraved on the front of the lock. The back of the lock is engraved with the accountable serial number.

**575.13 Specific Uses**

Handbook PO-502, *Container Methods*, contains information concerning the authorized uses of rotary and LA locks and associated security guidelines.

**575.2 Closures****575.21 Purpose**

A twist closure device is used to ensure that a pouch does not open inadvertently after it has been closed. The device is placed through the staple of the pouch and keeps the hasp from springing open. Pouches currently being manufactured have a twist staple and do not require the closure device.

**575.22 Description**

Twist closure devices are made of plastic and are configured in a horseshoe-shaped design. Unlike seals, they are not accountable and are not assigned a special serial number.

## 58 Mail Transport Equipment Handling Policy

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### 581 Loan of Mail Transport Equipment

#### 581.1 Policy

Mail transport equipment (MTE) owned by the Postal Service may not be furnished to, or retained by, a mailer for the mailer's internal operating use or personal convenience. The use of MTE is a courtesy extended by the Postal Service to convey mail to and from postal installations.

#### 581.2 Uses and Abuses

MTE may be used *only* to transport mail. Any other use of MTE (e.g., storing or transporting records, equipment, waste, or other MTE) is specifically prohibited. Foreign-owned MTE may not be used to transport U.S. Mail or for storage of U.S. Mail transport equipment. Accordingly, MTE may not be used to transport foreign mail that is not intended for dispatch through the U.S. Postal Service. Specific applications are outlined in Handbook PO-502.

#### 581.3 Private Mailer Usage

Postmasters or NDC managers may authorize the loan of MTE to private mailers for the following purposes, when it is advantageous to the Postal Service:

- a. Delivering mail to local Post Offices, branches, or stations.
- b. Shipping mail to designated mail deposit points for entry into the postal system.

#### 581.4 Responsibilities

##### 581.41 Authorized Lenders

Postmasters, NDC managers, and other officials authorized to lend mail transport equipment must do the following:

- a. Advise borrowers of their responsibilities and liabilities.
- b. Periodically review the use and care of lent MTE.
- c. Ensure that lent MTE is not abused and is returned to the Postal Service within a reasonable time.

##### 581.42 Authorized Borrowers

Borrowers are responsible for the following:

- a. Proper use, care, and return of MTE.
- b. Financial liability for the loss or destruction of MTE. Private mailers are financially liable to the Postal Service for the current replacement cost of mailbags and other equipment that is lent to them and is lost, damaged, or destroyed while in their custody.

## 582 Mail Found in Supposedly Empty Equipment

### 582.1 Finder's Responsibility

Any postal facility finding mail in supposedly empty mail transport equipment should first forward the mail to its destination (see [582.2](#)) and also notify the originating office (if it can be identified) on PS Form 5049, *Mail Found in Supposedly Empty Equipment*. Those facilities receiving complaints about their operations on PS Form 5049 must review their operations and initiate appropriate steps to avoid a recurrence.

### 582.2 Written Reports

Whenever a delay exceeds 90 days, a letter of explanation to the addressee must accompany all First-Class Mail, Priority Mail Express, or other classes of mail that is time dated or of obvious value. Whenever Priority Mail Express, registered, insured, or COD shipments are found, a detailed written report must be sent to the originating office so that a check can be made against the index record of claims.

## 583 Defective or Damaged Mail Transport Equipment

### 583.1 Damaged Wheeled Containers

#### 583.11 Policy

Damaged containers are hazardous. They must not be used until they have been repaired and are judged to be in safe operating condition. All unsafe or unserviceable equipment should be red tagged by tying a PS Form 4707, *Out of Order* (tag), on the equipment. Red tagged equipment must be removed from service and dispatched without delay to the appropriate repair center.

#### 583.12 Common Defects

Any one of the following common container defects render a container unsafe and immediately unserviceable:

- a. Broken or torn metal.
- b. Broken or improperly operating latches.
- c. Missing critical parts (e.g., latches, casters, fasteners).
- d. Broken welds.
- e. Misaligned shelves or tray supports.
- f. Missing safety decals.
- g. Missing or improperly operating hinge restrainers.
- h. Missing or broken tow pin chains.
- i. Damaged tow pin housing or bushing.
- j. Defective brakes.
- k. Any other defect that may cause the container to be unsafe in any of its applications.



**583.13 Condemning and Scrapping Wheeled Containers**

Only authorized maintenance personnel at a Postal Service repair center may scrap or condemn containers. The decision to repair, condemn, or scrap a container is based on the following formula:

Repair Cost (labor, parts, etc.) / Replacement Cost

**Example:** Repair Cost (\$350) divided by Replacement Cost (\$410) = 85%

If the figure obtained is greater than 80 percent, the container should be condemned and scrapped rather than repaired. The local purchasing and materials service center can provide the current replacement cost. Specific disposal instructions are contained in Handbook AS-701, *Material Management*.

**583.2 Defective Sacks****583.21 Policy**

Defective canvas and nylon sacks, other than those that are clearly beyond repair or salvage, must be packed and labeled as described in [584](#) and dispatched to the nearest mail transport equipment or concentration center. Defective plastic sacks must be disposed of locally.

**583.22 Defective Criteria****583.221 Canvas Sacks**

Any one of the following defects renders canvas sacks unserviceable:

- a. Holes larger than 2 1/2 inches in diameter.
- b. Tears longer than 3 inches.
- c. Cords or fasteners that cannot be closed.
- d. Grommets that are torn so the sack cannot be hung on a rack.
- e. Seam rips of 2 inches or more.
- f. Sacks that are unfit for service due to paint, grease, oil, or mildew damage.
- g. Large abrasions or a number of holes in a small area.

**583.222 Nylon Sacks**

Any of the following defects renders nylon sacks unserviceable:

- a. Holes larger than a dime.
- b. Tears longer than 1/2 inch.
- c. Seam rips.
- d. One or more grommets missing.
- e. Missing or excessively worn neck straps.
- f. Missing or damaged label holders, hasps, or staples.
- g. Missing rivets or hardware.

**583.223 Plastic Sacks**

The following defects render plastic sacks unserviceable:

- a. Holes, rips, or tears longer than 2 inches.
- b. Missing or broken drawstrings or closure devices.

**583.23 Condemning Sacks**

Postal installations are authorized to destroy defective sacks that cannot be repaired or salvaged. All defective plastic sacks must be destroyed. Customers may not condemn sacks. Mail transport equipment center managers and all postal installations participating in the Equipment Inventory Reporting System will report all condemned sacks on a weekly basis. If sizable quantities are involved, send a report to the serving area mail transport equipment specialist (AMTES) and to the manager, Mail Transport Equipment, Headquarters.

**583.3 Defective Fiberboard or Plastic Trays, Lids, and Sleeves****583.31 Common Defects**

Minor tears in fiberboard trays or sleeves may be repaired with filament or other suitable tape. Do not perform major repairs such as regluing. Trays, lids, or sleeves damaged to the point where they cannot be used to properly transport mail in a secure, damage free condition should be condemned.

**583.32 Condemning Fiberboard or Plastic Trays and Lids**

All postal installations must destroy defective trays and lids and should not ship defective trays and lids to other facilities.

**Note:** Mailers are not authorized to destroy any Postal Service equipment.

**584 Sack/Pouch Processing****584.1 Procedure****584.11 Primary Procedure**

Processing empty equipment must be accomplished at the point where it is generated. To ensure that this can be done, the Postal Service has adopted the "crumpling and stuffing" method for empty sack/pouch processing. Empty the sack, examine it, and immediately place it inside other like equipment at the dumping site. Designate a sack rack with sufficient capacity to provide for separation of each type of sack normally generated, including defective sack, at the dumping area. Each separation should have the appropriate headers and empty equipment labels in place. When the sack/pouch is full, label, close, and dispatch it in accordance with the local processing and distribution center or NDC supply plan. Provisions must also be made in the supply plan for collecting and dispatching those sacks/pouches not normally received by a particular dumping area. Serviceable sacks should not accumulate for more than 1 day. See [Exhibit 584.11](#) for a breakdown of facility responsibilities for processing sacks.

Exhibit 584.11

**Mailbag Responsibilities of Installations**

<b>Associate/Station Office</b>	<b>Processing and Distribution Centers*</b>	<b>BMCs</b>	<b>Mail Transport Equipment Centers</b>
<b>Examination.</b> <ul style="list-style-type: none"> <li>■ Examine empty mailbags for serviceability and loose mail content.</li> </ul> <b>Requisitions.</b> <ul style="list-style-type: none"> <li>■ Order from processing and distribution centers.</li> </ul> <b>Inventory.</b> <ul style="list-style-type: none"> <li>■ Keep accurate records.</li> <li>■ Do not maintain more than a 5-day supply.</li> </ul> <b>Packing/Labeling.</b> <ul style="list-style-type: none"> <li>■ Surplus U.S. If full bundles of single type cannot be made up in 5 working days, label bundles SHORT.</li> <li>■ Defective U.S.</li> <li>■ Foreign-owned — see section <a href="#">584.7</a>.</li> </ul> <b>Dispatching.</b> <ul style="list-style-type: none"> <li>■ Make sure empty mailbag bundles are properly labeled.</li> <li>■ Dispatch empty mailbags to servicing P&amp;DC regularly, unless otherwise instructed.</li> </ul>	<b>Examination.</b> <ul style="list-style-type: none"> <li>■ Examine empty equipment for serviceability and loose mail content.</li> <li>■ Examine empty mailbag shipments. If improperly packed or labeled, send PS Form 5049 to offending office.</li> </ul> <b>Requisitions.</b> <ul style="list-style-type: none"> <li>■ Order mailbags from DN.</li> <li>■ Fill mailbag and mailbag label requested from associate/branch offices.</li> </ul> <b>Inventory.</b> <ul style="list-style-type: none"> <li>■ Keep accurate records.</li> <li>■ Do not maintain more than a 5-day supply.</li> </ul> <b>Packing/Labeling.</b> <ul style="list-style-type: none"> <li>■ Surplus U.S. If not used to fill requisition, consolidate short bundles received. (Do not dump; simply enclose short bundles in like-type mailbag to make full bundle.)</li> <li>■ Defective U.S.</li> <li>■ Foreign-owned — see section <a href="#">584.7</a>.</li> </ul> <b>Dispatching.</b> <ul style="list-style-type: none"> <li>■ Make sure empty mailbag bundles are properly packed and labeled.</li> <li>■ If sufficient volumes are generated, separate each type in trailers for dispatch to mailers or facilities, as directed by DN.</li> <li>■ Dispatch empty mailbags as directed by DN.</li> </ul>	<b>Examination.</b> <ul style="list-style-type: none"> <li>■ Examine empty mailbags for serviceability and loose mail content.</li> </ul> <b>Requisitions.</b> <ul style="list-style-type: none"> <li>■ Order from DN.</li> </ul> <b>Inventory.</b> <ul style="list-style-type: none"> <li>■ Keep accurate records.</li> <li>■ Do not maintain more than a 5-day supply.</li> </ul> <b>Packing/Labeling.</b> <ul style="list-style-type: none"> <li>■ Surplus U.S.</li> <li>■ Foreign-owned — see section <a href="#">584.7</a>.</li> </ul> <b>Dispatching.</b> <ul style="list-style-type: none"> <li>■ Make sure empty mailbag bundles are properly labeled. Make sure bundles of mail are not dispatched with bundles of empty mailbags.</li> <li>■ Forward bundles of empty mailbags to Post Offices as labeled.</li> <li>■ Forward bundles coded 001, 002, or 003 to the designated MTEC, unless otherwise instructed by DN.</li> <li>■ Whenever possible, make up full vans of 002 bundles (#2 sacks).</li> </ul>	<b>Examination.</b> <ul style="list-style-type: none"> <li>■ Examine empty mailbag shipments.</li> <li>■ If improperly packed or labeled, complete PS Form 5049.</li> <li>■ For repeat offenses, return shipments to offender.</li> </ul> <b>Requisitions.</b> <ul style="list-style-type: none"> <li>■ Order needed mailbags from DN.</li> <li>■ Fill orders from all facilities and mailers in the area. Send mailbags or divert inbound shipments of surplus mailbags.</li> </ul> <b>Inventory.</b> <ul style="list-style-type: none"> <li>■ Keep accurate records.</li> <li>■ Store surplus mailbags.</li> </ul> <b>Packing/Labeling.</b> <ul style="list-style-type: none"> <li>■ Label empty U.S. mailbags to Post Offices where required.</li> </ul> <b>Dispatching.</b> <ul style="list-style-type: none"> <li>■ Divert inbound shipments of surplus mailbags to fill requisitions.</li> <li>■ Expedite outgoing shipments as directed by DN.</li> </ul>

**\*Concentration Centers.** Headquarters designates certain mail processing facilities as concentration centers. These centers have the same responsibilities as processing and distribution centers. In addition, they consolidate trailer load lots of empty mailbags for shipment to mailbag depositories, or specific mailbag types to large mailers.

**584.12 Alternate Procedure**

If space or other considerations do not permit the use of this procedure, devise an alternative procedure. This alternative must be reflected in the supply plan for each affected operation. A processing procedure must be established that becomes a routine part of the unit's daily scheduled activities. The processing of mail is not complete until all empty sacks/pouches have been processed and dispatched for reuse.

**584.2 Examination**

Supervisors must ensure that as each sack/pouch is dumped it is properly and thoroughly examined to ensure that mail is not left inside and to ensure that the destinating label is removed. Display Poster 113-B, *Examine Empty Sacks and Pouches*, at each opening unit. Training package 52326100 is to be included in clerk/mailhandler craft orientation. Handbook PO-502, *Container Methods*, contains approved examination methods.

**584.3 Bundling**

All sacks/pouches must be bundled only in the same type of equipment (e.g., No. 1 canvas sacks in a No. 1 canvas sack, No. 2 canvas sacks in a No. 2 canvas sack). No postal units may dispatch mixed bundles of serviceable equipment. Only full and short (less than full) bundles are authorized. Improperly packed sacks/pouches waste money in processing and rehandling costs, create false inventories, and reduce customer confidence. All managers must aggressively monitor this procedure to maintain the integrity of the finished product. Standard packing instructions are listed in Handbook PO-502.

**584.4 Labeling Empty Bundles of Serviceable Sacks/Pouches**

Each bundle of empty sacks or pouches must be individually labeled. The label must clearly indicate the following:

- a. The point of origin.
- b. The contents, by specific size and type.
- c. Whether the quantity is a full or a short bundle.

**584.5 Packing Empty Bundles of Defective Sacks/Pouches**

All defective sacks/pouches must be stuffed in a defective No. 1 canvas sack. Bundles of defective sacks/pouches must not exceed 70 pounds. See [583.2](#) for the criteria used to determine the serviceability of sacks/pouches.

**584.6 Labeling Empty Bundles of Defective Sacks/Pouches**

Each bundle must be individually labeled and clearly indicate the point of origin. The second line of the label must read "MIXED DEFECTIVES" and be overprinted with a red "D" or a red line.

**584.7 Empty Foreign-Owned Equipment****584.71 General**

Foreign postal administrations generally send mail, air and surface, to the United States in their own equipment, which consists primarily of sacks.

Once the United States Postal Service® processes this mail, we are obligated to promptly return all empty equipment (known as sac vides) to the origin postal administration. Failure to do so can result in significant reimbursement expenses to the foreign postal administration for the Postal Service.

The following instructions are to be followed regarding the handling and return of all foreign-owned mail sacks. International exchange offices (for air and surface mail) are responsible for processing and returning empty foreign-owned sacks.

584.72 **Receiving Offices**

Postal facilities, other than air or surface exchange offices, may receive a very small amount of foreign-owned mail sacks which need to be returned to the origin postal administration.

584.73 **Delivery Offices**

All offices receiving mail from other countries must ensure that they retrieve from the addressee all sacks used to send this mail (if received as an M-bag, i.e., if all of the contents are for one addressee). If foreign mail is received as a direct sack, the sack must be returned to the Post Office. Under no circumstances are the foreign sacks to be retained by an addressee or the delivery office. All foreign equipment is to be sent immediately to the serving processing and distribution center.

584.74 **Processing and Distribution Centers**

All processing and distribution centers, other than those that have a direct mail exchange with Mexico or Canada, must forward all foreign-owned equipment, both air and surface, to the serving international air exchange office by the normal transportation used for international airmail.

584.75 **Network Distribution Centers (NDCs)**

NDCs, other than those that are international surface exchange offices or have a direct mail exchange with Mexico or Canada, should not receive foreign-owned equipment. If they do, the facility that forwarded the equipment should be notified of the error immediately. The equipment, both air and surface, must be forwarded to the serving international air exchange office by the normal transportation used for international airmail.

584.76 **Airport Mail Centers (AMCs) and Airport Mail Facilities (AMFs)**

AMCs or AMFs, other than those that are designated international airmail exchange offices, should not receive foreign-owned equipment, but if they do, the facility that forwarded the equipment should be notified of the error immediately. The equipment, both air and surface, must be forwarded to the serving international air exchange office by the normal transportation used for international airmail.

584.8 **Returned Empty U.S. International Mail Sacks**

584.81 **Receipt at Nonexchange Offices**

Postal facilities (other than offices that exchange international air or surface mail directly with Canada and Mexico) that are not exchange offices should

not receive returned empty U.S. equipment from abroad, but if they do, the equipment should be worked as indicated in [584.82](#). International and Military Mail Operations, International Business, at headquarters must be notified as well so that they can take the necessary steps to prevent future occurrences.

#### 584.82 **Processing of Empty Equipment**

All returned Postal Service equipment must be verified to ensure proper make-up. Any improperly prepared (i.e., mixed) bundles must be reworked and processed by the receiving facility before distribution can be made. When sorting empty sacks, examine them to ensure that they do not contain mail. If items are found in the sacks, postmark them on the back and endorse them: "FOUND IN SUPPOSED EMPTY MAIL SACK RETURNED FROM ABROAD" on the address side. Deliver these mail pieces to the appropriate outbound distribution unit. The sacks must then be processed promptly and sorted according to type.

#### 584.83 **Disposition of Empty Equipment**

Contact the local Mail Transport Equipment Coordinator or Area Mail Transport Equipment Specialist (AMTES) for a destination for excess sacks and trays.

#### 584.84 **Returned Plastic Sacks**

Returned U.S. foreign blue plastic and international gray (ISAL) plastic sacks must be sorted by type and condition into three separate categories: sacks with the drawstrings still attached, sacks with the drawstrings removed, and sacks that are not reusable. Coordinate the disposition of blue and gray plastic sacks as indicated in [584.83](#). Those sacks that are not in a reusable condition must be recycled or disposed of in conjunction with the local environmental coordinator.

### 585 **Inventory Control**

#### 585.1 **Processing and Distribution Center and NDC Supply Plans**

##### 585.11 **Purpose**

The plant supply plan concept has been developed to improve the management of MTE at the plant level. These plans increase the control and availability of MTE through the application of sound planning principles and specific management responsibilities. Definitive instructions for all levels of processing and distribution center and NDC management are provided in these plans. The instructions detail the proper processing and handling of MTE generated at opening units, other district and NDC operations, stations, and branches.

##### 585.12 **Implementation**

Handbook PO-502, *Container Methods*, contains instructions for implementing plant supply plans.

##### 585.13 **Review**

Once established, facility supply plans must be reviewed and updated as necessary, but not less frequently than annually.

585.14 **Definitions**

The following inventory terms play a vital role in developing a processing and distribution center and NDC supply plan and are used extensively in the Equipment Inventory Reporting System (EIRS):

- a. Daily Usage -the amount of a particular equipment type that a facility requires in order to operate for 1 day.
- b. Net Difference -the difference between the amount of a particular equipment type that a facility actually uses and the amount it receives.
- c. Balance on Hand -the available amount of a particular equipment type when the inventory is taken.

585.2 **Inventory Levels**

The processing and distribution center and NDC supply plan concept, with EIRS reporting guidelines, establish the following inventory parameters:

- a. *Associate Offices, Stations, Branches.* Maximum of a 1-day supply (daily usage) of any equipment type.
- b. *Private Mailer.* Maximum of a 7-day requirement.
- c. *Processing and Distribution Facility:*
  - (1) Deficit Item — maximum of a 1-day supply plus six times the net difference of any type. In an equation format:  

$$1 \times (\text{Daily Usage} + 6 \times [\text{Net Difference}]) = \text{maximum inventory level.}$$
  - (2) Surplus Item — maximum of a 1-day supply of any equipment type.

586 **Functional Responsibilities and Relationships**

The manager, Logistics, establishes policy for managing all aspects of mail transport equipment.

587 **U.S. Postal Service Headquarters**587.1 **Responsibilities**

The manager, Logistics, provides management support and instructions on the operation, transportation, distribution, delivery, inventory, storage, and reporting of MTE. The position of area mail transport equipment specialist (AMTES) has been established to ensure compliance with all aspects of this policy at the field level. Those who fill AMTES positions will have offices at the 10 distribution networks offices. These positions (one in each area) will provide guidance to the DNs and other field units in all aspects of the MTE Program.

587.2 **Distribution**587.21 **EIRS**

Nationwide distribution of empty MTE depends on information contained in the Equipment Inventory Reporting System (EIRS), various customer-oriented programs, and P&D/NDC supply plans. To provide for effective MTE distribution, Mail Transportation Equipment must maintain a liaison with

Headquarters Purchasing, all DNs, mail transport equipment centers (MTECs), mailbag and container and equipment repair centers, and MTE concentration centers.

587.22 **Empty MTE Dispatch**

Headquarters Mail Transport Equipment coordinates the dispatch of empty MTE between areas with the AMTESs. The AMTES, in turn, coordinates the dispatch of MTE with the transportation and equipment specialists within his or her area of responsibility.

587.3 **Inventory**

587.31 **Adequate Supply**

Headquarters Logistics must ensure that an adequate national inventory of MTE exists and is properly managed. EIRS is designed to assist in this function. Based on DN recommendations, Headquarters establishes which postal organizations and mailers will submit reports to the EIRS.

587.32 **Review of Storage and Repair**

Headquarters Mail Transport Equipment reviews the inventory of MTE stored in the MTECs (postal or contract installations). Headquarters Mail Transport Equipment also directs the various repair centers to expedite the repair and return to service of specific MTE.

587.4 **Storage**

Mail Transport Equipment must evaluate the locations of major storage facilities based on area requirements and transportation patterns. Any recommendation to adjust the locations will be made through the manager, Mail Transport Equipment. Headquarters Mail Transport Equipment determines which equipment is appropriate for storage in the MTECs.

587.5 **Reporting**

The manager, Mail Transport Equipment, establishes the procedures for the reporting of empty MTE inventories. Headquarters specialists monitor the reports of the EIRS. When necessary, those specialists instruct field personnel on the use of the system.

587.6 **Audits**

Headquarters personnel may make unannounced visits to audit MTE operations, inventory levels, and processing operations at mailer and Postal Service facilities. Headquarters Logistics will establish guidelines for all MTE audits.

587.7 **Supply and Operating Plans**

The AMTES will combine the plans from the P&DCs and NDCs in their areas into an area Operating and Supply Plan for their respective geographical areas. A copy of this plan and each annual update is to be forwarded to Headquarters Mail Transport Equipment.



**588 Distribution Networks Offices****588.1 Responsibilities**

The DN manager, through the AMTES and designated MTE personnel, manages the daily MTE levels within the area. The Networks Management Specialists assist in planning the transportation and distribution of empty MTE in the area. Additionally, the Networks Planning Staff lends assistance in planning, implementing, and maintaining P&DC/NDC supply plans.

**588.2 Transportation**

DN coordinates the transportation of empty MTE and monitors the actual dispatch/arrival of all large quantities of empty MTE within its area.

**588.3 Distribution**

Based on P&DC and NDC supply plan data, DN maintains the flow of MTE between offices within the DN area. DN redistributes MTE within its area in response to P&DC/NDC supply plans, inventory reports, equipment requirements, and internal emergency equipment requests. Headquarters Mail Transport Equipment manages the distribution of excess MTE beyond area boundaries.

**588.4 Inventory**

DN enters inventory standards for each EIRS facility within its area for all appropriate equipment types into the EIRS. The standards are based on P&DC/NDC supply plans. In addition, DN enters equipment movements, receipts, audit reports, and, when necessary, facility MTE status into the EIRS. DN monitors all transactions and equipment inventory reports.

**588.5 Reporting**

The DN manager must monitor the data input concerning MTE in his or her area. Designated MTE personnel must ensure that the designated reporting facilities enter their equipment transactions into the EIRS accurately and promptly. Include unassembled MTE in EIRS reports.

**588.6 Audit**

DN managers must ensure that comprehensive MTE inventory audits are conducted at all offices, NDCs, warehouses, and large mailers (i.e., those mailers that report directly into EIRS and those that appear in the P&DC/NDC supply plan) within their area under the guidelines provided in Handbook PO-502.

**588.7 Operating and Supply Plans****588.71 DN Responsibilities**

DN generates its own area operating and supply plan based on those of the field offices within its area.

**588.72 Shortages or Surplus**

Each plan must indicate shortages or surpluses of equipment by both equipment type and quantity. Sources of supply and redistribution of any

excess MTE must be documented to the extent possible. The plan must provide for each facility's or customer's needs and for the redistribution of inventory to effectively meet those needs without causing a shortage or a surplus of MTE.

588.73 **Plan Review**

All plans need review and updating at least semiannually. If major changes occur in customer operations, mailing patterns, or other procedures, the plans must be changed immediately.

588.8 **Plant Management Responsibilities**

588.81 **MTE Coordinator**

Plant managers will appoint an MTE coordinator to manage the plant MTE needs on a daily basis, coordinate MTE activities within the plant, prepare the plant operating and supply plan, and forward completed plans to the serving DN for review.

588.82 **Correcting Deficiencies**

Plant managers must act to correct deficiencies in the program as indicated by data supplied by DN or Headquarters.

588.83 **Management Oversight**

Plant managers and staff must oversee management of the MTE program. Particular emphasis should be directed toward eliminating "rainbow" equipment and processing "unworked equipment" as soon as possible.

588.84 **Transportation**

The plant MTE coordinator manages the transportation of empty MTE and monitors the actual dispatch/arrival of empty MTE within the plant area.

588.85 **Distribution**

588.851 **Use of EIRS**

Plant MTE coordinators must first attempt to satisfy the MTE needs of their plant by using EIRS to review the plant's MTE balances by location and arranging the redistribution of MTE inventory within the plant area as necessary. If coordinators cannot meet the needs of the plant internally, they will contact the serving DN to request additional MTE from other sources. The coordinators will also contact the serving DN for destinations for surplus MTE.

588.852 **Within the DN Area**

DN will attempt first to supply needs from within its area and will advise the plant MTE coordinator of the action taken.

588.853 **AMTES**

If DN cannot locate enough MTE to meet the needs of its service area, it will contact Headquarters Mail Transport Equipment, through the AMTES, for assistance. The AMTES will also seek destinations for surplus MTE from Headquarters Mail Transport Equipment.

588.854 **Disputes**

Disputes will invariably arise concerning MTE needs. The AMTES, through the DN manager, is authorized to function as the final arbitrator in disputes

arising between plant management and designated MTE personnel within the area of the AMTES.

588.86 **Reporting**

The plant manager is responsible for all MTE reporting in the operating area. The MTE coordinator must ensure that the designated reporting facilities enter their equipment transactions into the EIRS accurately and promptly. Unassembled or staged equipment and equipment stored in warehouses must be included in the EIRS report of the facility responsible for the equipment/warehouse.

588.87 **Audits**

In addition to the audits specified in [588.6](#), each manager must regularly audit the EIRS to determine if each facility is entering the information on a timely basis.

588.88 **Operating and Supply Plans**

588.881 **Purpose**

Postal facility and mailer operating and supply plans are essential to the success of the decentralized management of MTE resources. See Handbook PO-502, *Container Methods*, for instructions on how to prepare them.

588.882 **Central Plan**

The plant manager must combine individual facility/mailer operating and supply plans into a master plan for the plant area. The central plan will help control requirements and surpluses. It will also help maximize inventory turnaround, minimize stock outages, and promote cost-effective usage of MTE within the plant's area.

588.883 **Training**

DNs and the AMTESs will coordinate or provide necessary MTE awareness and EIRS training for the personnel in their area.

588.884 **Hoarding**

MTE is a valuable and essential postal resource. It is managed by different organizations within the Postal Service, but this resource is owned by the entire organization. It is therefore imperative that facility managers plan carefully and use only that portion of the total available MTE that their facilities and customers need so that all facilities have enough on hand to meet their needs. Managers must not overstock this equipment.

588.885 **Customer Services Equipment Coordinator**

The district manager of Customer Service and Sales must appoint a representative from his or her staff to act as the customer services equipment coordinator (CSEC). This representative will work with the MTE coordinator and act as a permanent representative of his or her office for MTE.

588.886 **Reporting**

The plant manager must ensure that MTE levels are accurately reported into the EIRS.

**588.887 Audits**

The plant manager provides data required for each audit, as specified in Handbook PO-502. If necessary, the manager will provide the appropriate personnel to participate in the audit.

**588.888 Other**

The plant manager must inform the DN manager whenever a mailer who customarily uses large quantities of empty MTE relocates to the area, moves from the area, or significantly changes his or her distribution pattern.

**589 Operational Managers**

All operational managers must ensure that containers are used properly, efficiently, and safely.

## 59 Equipment Inventory Reporting System

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**591 Purpose**

The Equipment Inventory Reporting System (EIRS) tracks available quantities of MTE. It enables the Postal Service to control and manage mail transport equipment by redistributing MTE from areas with a surplus to areas with a deficit. EIRS also provides audit capabilities for Postal Service Headquarters and the Inspection Service. Detailed instructions on the operation of the EIRS are contained in Handbook PO-510, *Equipment Inventory Reporting System (EIRS)*.

**592 Description**

EIRS is a computerized information system designed to help manage and identify available quantities of MTE. Reporting facilities enter data through use of a CRT (cathode ray tube) terminal. This information is immediately available to AMTESS, DNs, and Headquarters. In addition to its interactive capability, the system also generates hard-copy reports for AMTESS, DNs, and Headquarters.

**593 Report Descriptions****593.1 Move Orders Report**

The Move Orders Report supplies AMTESS and DNs with a list of MTE being shipped to and from their service areas. The Move Orders Report lists MTE in-transit to an EIRS origin and lists MTE shipped from an EIRS origin.

**593.2 Inventory Alert Report**

The Inventory Alert Report depicts either a shortage or surplus of MTE. This report is generated only under either of the following conditions:

- a. The inventory level (balance on hand) for an equipment type exceeds the maximum inventory standard for that equipment type.
- b. The balance on hand for an equipment type is less than the daily usage.

**593.3 Failed/Late Report**

The Failed/Late Report is generated only when an EIRS facility does not report all inventory items as scheduled.

**593.4 Audit Change Report**

The Audit Change Report is generated when a field audit has been performed. This report outlines discrepancies between the inventory reported by the audited facility and the inventory reported by the audit team.

**593.5 “As Needed” Reports****593.51 Inventory Standards Report**

The Inventory Standards Report shows the reporting standards for each equipment type (i.e., maximum, daily usage, net requirement, and reorder point) for each EIRS facility within a DN area.

**593.52 Current Status Report**

The Current Status Report prints the latest inventory data input by an EIRS facility within a DN area. The report provides the following instructions for each reported equipment type:

- a. Inventory date.
- b. Quantities received.
- c. Quantities shipped.
- d. Quantities defective and condemned.
- e. Serviceable balances on hand.
- f. Quantities filled but not released.
- g. Net requirements.
- h. Quantities in transit.
- i. Forecast for the next week.
- j. Daily usage.
- k. Maximum inventory level.

**593.53 Totals by Equipment Type Report**

This report lists available MTE balances by DN area for each equipment type. When requested by Headquarters, this report also prints national totals for each equipment type.

**593.54 Transaction History Report**

This report permits the requestor to obtain specific historical data.

**593.55 Forecast Summary Report**

This report displays a 52-week forecast for a single origin, or it will summarize all forecast information within a DN area by equipment type.

**593.56 Equipment Value Report**

This report displays the current inventory value at specific locations.

## 594 **Responsibility**

### 594.1 **Headquarters**

Headquarters Mail Transport Equipment is responsible for all policies governing the implementation, use, and modification of EIRS.

### 594.2 **Area Mail Transport Equipment Specialists**

The area mail transport equipment specialists are responsible for the validity of information contained within EIRS and for ensuring compliance with all policies governing EIRS use established by Headquarters. The AMTES also has the following responsibilities:

- a. Review standards and forecast data for accuracy.
- b. Review move orders and move order receipts.
- c. Conduct MTE audits.
- d. Recommend to Headquarters the addition or deletion of facilities within EIRS.

### 594.3 **Distribution Networks (Area Offices)**

Distribution Networks must guarantee the validity of information contained within EIRS and ensure compliance with policies governing EIRS use established by Headquarters. DNs must also do the following:

- a. Establish, maintain, and update standards for all EIRS reporting facilities in their area of responsibility.
- b. Enter forecast information.
- c. Ensure proper, complete, and timely reporting by all EIRS facilities in their area of responsibility.
- d. Enter move orders and move order receipts on a daily basis.
- e. Recommend to Headquarters the addition or deletion of EIRS reporting facilities.

# 6 Delivery Services

## 61 Conditions of Delivery

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### 611 Delivery, Refusal, and Return

#### 611.1 Conditions

The following conditions govern delivery, refusal, and return:

- a. *Delivery to Addressee.* The addressee may control delivery of his or her mail. In the absence of a contrary order, the mail is delivered as addressed. Mail addressed to several persons may be delivered to any one of them.
- b. *Mail Refused When Offered for Delivery.* The addressee may refuse to accept a piece of mail at the time it is offered for delivery. The addressee should endorse the piece “Refused.”
- c. *Mail Refused After Delivery.* After delivery, an addressee may mark a piece of mail “Refused” and return it within a reasonable time if the mail or any attachment is not opened, except for mail listed in [611.1c\(1\)](#) and [611.1c\(2\)](#). Mail that may not be refused and returned unopened under this provision may be returned to the sender only if enclosed in a new envelope or wrapper with a correct address and new postage. The following may not be returned postage free:
  - (1) Pieces sent as Registered Mail<sup>1</sup>, Insured Mail, Certified Mail<sup>2</sup>, COD, Return Receipt for Merchandise Mail, or other signature mail may not be refused and returned postage free after delivery.
  - (2) Mail sent to an addressee in response to the addressee’s sales promotion, solicitation, announcement, or other advertisement, and that is not refused when offered to the addressee, may not be refused and returned postage free after delivery.
- d. *Mail Withheld From Delivery.* An addressee may request his or her postmaster, in writing, to withhold from delivery for a period not exceeding 2 years any foreign letter or printed matter bearing a specified name or address appearing on the outside. Such mail is marked “Refused” by the Post Office<sup>TM</sup> and treated as undeliverable.
- e. *Mail of Unknown Addressee.* When a person claiming to be the addressee of certain mail is unknown to the delivery employee, the mail may be withheld, pending identification of the claimant.
- f. *Refused Mail as Undeliverable.* Matter refused by the addressee under [611.1b](#) and [611.1c](#) is treated as undeliverable (see [681.5](#)).

- g. *Remailing of Matter Returned to Sender.* The mailer must not remail undelivered or refused mail returned to him or her unless it is enclosed in a new envelope or wrapper with a correct address and new postage. Returned shortpaid mail does not have to be placed in a new envelope. The necessary additional postage may be affixed to the original mailpiece.
- h. *Mail Bearing Exceptional Address Format.* Mail with an exceptional form of address is always delivered as addressed and may not be forwarded. Only if the address is incorrect or incomplete, or if the mail cannot be delivered for another reason, is it treated as undeliverable (see [68](#)). First-Class Mail® that is undeliverable as addressed is returned to the sender.

#### 611.2 **Delivery to Persons With Similar Names**

Unless persons with similar names adopt some means to distinguish their mail, a postmaster must use judgment in making delivery.

#### 611.3 **Mail Delivered to Wrong Person**

A person receiving mail not intended for him or her must promptly return it to the Post Office, endorsed "Opened by Mistake" with his or her signature if the letter is opened; otherwise, it should be endorsed "Not for..., Not at this address," or words to the same effect.

#### 611.4 **Checks Issued by Federal Government**

##### 611.41 **Recipient**

Federal government checks are delivered to the addressees, to persons who customarily receive their mail, or to other persons authorized in writing to receive their mail. Delivery must not be made to an attorney, claim agent, or broker even though the addressee requests such delivery unless the check is addressed in care of the attorney, claim agent, or broker.

##### 611.42 **Delivery Alert**

If convenient, the addressee can be alerted by ringing the bell or knocking on the door. The carrier is not required to await a response.

##### 611.43 **Immediate Return of Check**

Delivery is withheld and the check returned to the sender immediately if it is known that the addressee:

- a. Is deceased or both parties of a jointly addressed check are deceased.
- b. Has moved without filing a change of address, even though the new address may be known.
- c. Has enlisted in the military service.
- d. Is under guardianship.

##### 611.44 **Treasury Checks Without Delivery Dates**

Treasury checks enclosed in envelopes that do not show a date of delivery are delivered on the first scheduled delivery after receipt.



**611.45 Treasury Checks With Delivery Dates**

Treasury checks enclosed in envelopes that show a date of delivery are delivered on that date or the first scheduled delivery after that date. In emergency or other infrequent situations, customers receiving delivery service may request predelivery of their mail at the office of delivery if withdrawal of the mail does not interfere with carriers' delivery schedules or the efficiency of other postal operations.

**611.5 Checks Issued by State and Local Governments**

State and local government checks are handled in accordance with instructions printed on the envelopes. Certain checks have instructions not to transfer or forward. If undeliverable as addressed, such checks must be returned to the sender immediately.

**611.6 Mail Marked "In Care Of" Another**

Mail marked "In Care Of" another is delivered to the first of the two persons named who may call for it, or to the address of the person in whose care it is directed in the absence of instructions from the addressee.

**611.7 Restricted Delivery**

Registered Mail, Certified Mail, numbered Insured Mail, and COD Mail that the sender has restricted delivery to the addressee only may not be delivered to any other person, except under DMM<sup>®</sup> S916.

**611.8 Mail Marked "Personal"**

Mail bearing the word "Personal" is delivered in the same way as other mail for the addressee.

**611.9 Holding Mail at Addressee's Request****611.91 Ordinary Mail**

Ordinary mail, except First-Class Mail bearing return address of sender specifying a holding period, is held at the office of address at the request of the addressee for up to 30 days. Under unusual conditions, mail may be held longer if the postmaster considers it practical and customers arrange for periodic pickup of the accumulated mail. Customers may authorize the holding of their mail by signing PS Form 8076, *Authorization to Hold Mail*.

**611.92 Priority Mail Express**

Priority Mail Express shipments are held at the office of address at the addressee's written request for a specified day or days, for example, Saturdays, Sundays, or holidays (see DMM 507.4.3.4).

**612 Delivery of Addressee's Mail to Another****612.1 Delivery to Addressee's Agent****612.11 Designation of Agent**

Unless otherwise directed, an addressee's mail may be delivered to his or her employee, a competent member of the addressee's family, or any person authorized to represent the addressee or who customarily receives the

addressee's mail. A person or a number of persons may designate another to receive their mail. Designation of another person to receive mail should be in writing, but no special form is furnished or required.

#### 612.12 **Commercial Mail Receiving Agency**

The procedures for the establishment of a commercial mail receiving agency are as follows:

- a. An addressee may request mail delivery to a commercial mail receiving agency (CMRA). The CMRA accepts delivery of the mail and holds it for pickup or re-mails it to the addressee, prepaid with new postage.
- b. Each CMRA must register with the Post Office responsible for delivery to the CMRA. Any person who establishes, owns, or manages a CMRA must provide PS Form 1583-A, *Application to Act as a Commercial Mail Receiving Agency* (see [Exhibit 612.13](#)), to the postmaster (or designee) responsible for the delivery address. The CMRA owner or manager must complete all entries and sign the PS Form 1583-A. The CMRA owner or manager must provide an acceptable primary and secondary form of identification under [131.3](#).

The identification presented must be current. It must contain sufficient information to confirm that the applicant is who he or she claims to be and is traceable to the bearer. The postmaster (or designee) may retain a photocopy of the photograph identification for verification purposes and must list and record sufficient information to identify the two types of identification on PS Form 1583-A (block 10). Furnishing false information on the application or refusing to give required information is reason for denying the application. When any information required on PS Form 1583-A changes, the CMRA owner or manager must file a revised application (write "revised" on the form) with the postmaster.

- c. The postmaster (or designee) must verify the documentation to confirm that the CMRA owner or manager resides at the permanent home address shown on the PS Form 1583-A; witness the signature of the CMRA owner or manager; and sign the PS Form 1583-A. The postmaster must provide the CMRA with a copy of the DMM regulations relevant to the operation of a CMRA. The CMRA owner or manager must sign the PS Form 1583-A acknowledging receipt of the regulations. The postmaster must file the original of the completed PS Form 1583-A at the Post Office and provide the CMRA with a duplicate copy.
- d. A CMRA is authorized to accept the following accountable mail from their customers for mailing at the Post Office: Insured Mail, COD, Priority Mail Express, Certified Mail, and Delivery Confirmation® Mail. The sender (CMRA customer) must present accountable mail items not listed to the Post Office for mailing.

Exhibit 612.12

**PS Form 1583-A, Application to Act as a Commercial Mail Receiving Agency**

United States Postal Service <b>Application to Act as a Commercial Mail Receiving Agency</b> See Privacy Act Statement on Reverse		1. Date
<b>TO: POSTMASTER</b>		
<p>In registering with the Postal Service to act as an agency to receive delivery of mail of others, the agent agrees to the following: (1) the Commercial Mail Receiving Agency (CMRA) must have on file a Form 1583, <i>Application for Delivery of Mail Through Agent</i>, for each addressee or firm receiving mail at the agency; (2) a CMRA must represent its delivery address as a private mailbox; (3) the CMRA is not authorized to accept Registered Mail from their clients for mailing, the post office is the only acceptable mailing point; (4) the CMRA must be in full compliance with <i>Domestic Mail Manual</i> (DMM) D042.2.5 through D042.2.7 and other applicable postal requirements to receive delivery of mail from the Postal Service; and (5) when any information required on this form changes, the CMRA owner or manager must file a revised application with the postmaster.</p> <p><b>NOTE:</b> The CMRA owner or manager must execute this form in duplicate in the presence of the postmaster or designee. The CMRA owner or manager retains the signed duplicate copy and signs in this space</p>		
<p>to signify receipt and understanding of applicable DMM regulations regarding delivery of mail to a CMRA by the Postal Service. This application may be subject to verification procedures by the Postal Service to confirm that the CMRA owner or manager resides at the permanent home address listed below, and that identification presented in box 10 is valid. Failure to comply with DMM D042.2.5 through D042.2.7 and all other applicable Postal Service requirements may subject the agency to withholding of mail until corrective action is taken.</p>		
2. Name of Commercial Mail Receiving Agency (CMRA) (Corporation or Trade Name)	3. Name of CMRA Owner/Manager	
4. Street Address of CMRA (Number, street, city, state, and ZIP Code)	5. P.O. Box Address of CMRA (Include city, state, and ZIP Code)	
6. CMRA Telephone Number (       )	7. Permanent Home Address of CMRA Owner/Manager (Number, street, city, state, and ZIP Code)	
8. Home Telephone Number of CMRA Owner/Manager (       )	9. Agency Manager or Contact (Name and telephone number) (       )	
10. Two types of identification are required. One must contain a photograph of the CMRA owner or manager. Social Security cards, credit cards, and birth certificates are unacceptable as identification. The postmaster or designee must write in type of identifying information. <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">a.</div> <div style="width: 45%;">b.</div> </div>	<b>WARNING:</b> The furnishing of false or misleading information on this form, or omission of material information, may result in criminal sanctions (including fines and imprisonment) and/or civil sanctions (including multiple damages and civil penalties). (18 U.S.C. 1001)	
Acceptable identification includes: valid driver's license or state non-driver's identification card; armed forces, government, university or recognized corporate identification card; Passport, alien registration card or certificate of naturalization; current lease, a mortgage, or Deed of Trust; voter or vehicle registration card; or a home or vehicle insurance policy. A photocopy of your identification may be retained by postmaster or designee for verification.	11. Signature of CMRA Owner or Manager and Date	
12. Signature of Postmaster or Designee and Date		
PS Form <b>1583-A</b> , August 2000		
This form on Internet at <a href="http://www.usps.com">www.usps.com</a>		

Exhibit 612.12 (p. 2)

**PS Form 1583-A, Application to Act as a Commercial Mail Receiving Agency****Privacy Act Statement**

"Privacy Act Statement: The collection of this information is authorized by 39 USC 403 and 404. This information will be used to authorize the delivery of the intended addressee's mail to another. The Postal Service may disclose this information to an appropriate government agency, domestic or foreign, for law enforcement purposes; where pertinent, in a legal proceeding to which the USPS is a party or has an interest; to a government agency in order to obtain or provide information relevant to an agency decision concerning employment, security clearances, contracts, licenses, grants, permits or other benefits; to a congressional office at your request; to an expert, consultant, or other person under contract with the USPS to fulfill an agency function; to the Federal Records Center for storage; and for the purpose of identifying an address as an address of an agent to whom mail is delivered on the behalf of other persons. Information concerning an individual who has filed an appropriate protected court order with the postmaster will not be disclosed in any of the above circumstances except pursuant to the order of a court of competent jurisdiction. Completion of this form is voluntary; however, without the information, the mail will be withheld from deliver to the agent and delivered to the addressee, or, if the address of the addressee is that of the agent, returned to the sender."

PS Form **1583-A**, August 2000 (Reverse)

**612.13 Procedures for Delivery to CMRA**

Mail delivery to a CMRA requires the following:

- a. The CMRA owner or manager and each addressee must complete and sign PS Form 1583, *Application for Delivery of Mail Through Agent* (see [Exhibit 612.13](#)). Spouses may complete and sign one PS Form 1583. Each spouse must provide an acceptable primary and secondary form of identification under [131.3](#). If any information that is required on PS Form 1583 is different for either spouse it must be entered in the appropriate box. A parent or guardian may receive delivery of a minor's mail by listing the name(s) of each minor on PS Form 1583 (block 12). The CMRA owner or manager, authorized employee, or a notary public must witness the signature of the addressee. The addressee must complete all entries on PS Form 1583. The CMRA owner or manager must verify the documentation to confirm that the addressee resides or conducts business at the permanent address shown on PS Form 1583. The address is verified if there is no discrepancy between information on the application and the identification presented. If the information on the application does not match the identification, the applicant must substantiate to the CMRA that the applicant resides or conducts business at the address shown. A document from a governmental entity or recognized financial institution or a utility bill with the applicant's name and current permanent address may be used for such purpose. If the applicant is unable to substantiate the address, the CMRA must deny the application. Furnishing false information on the application or refusing to give required information is reason for withholding the addressee's mail from delivery to the agency and returning it to the sender. When any information required on PS Form 1583 changes, the addressee must file a revised application (write "revised" on form) with the CMRA. The addressee must provide an acceptable primary and secondary form of identification under [131.3](#).

The identification presented must be current. It must contain sufficient information to confirm that the applicant is who he or she claims to be and is traceable to the bearer. The CMRA owner or manager may retain a photocopy of the photograph identification for verification purposes. The CMRA owner or manager must list and record sufficient information to identify the two types of identification on PS Form 1583 (block 8) and write the complete CMRA delivery address used to deliver mail to the addressee on PS Form 1583 (block 3).

- b. The CMRA must provide the original of completed PS Forms 1583 to the postmaster. This includes revised PS Forms 1583 submitted by an addressee based on information changes to the original PS Form 1583 (write "revised" on form). The CMRA must maintain duplicate copies of completed PS Forms 1583 on file at the CMRA business location. The PS Forms 1583 must be available at all times for examination by postal representatives and postal inspectors. The postmaster must file the original PS Forms 1583 for each CMRA, alphabetically by the addressee's last name, at the station, branch, or Post Office. The postmaster files the original PS Forms 1583 without verifying the address of residence or firm shown on PS Forms 1583. The postmaster

is required to verify only when the postmaster receives a request from the Postal Inspector in Charge, or when there is reason to believe that the addressee's mail may be, or is being, used for unlawful purposes.

- c. In delivery of the mail to the CMRA, the addressee and the CMRA agree to the following:
  - (1) When the agency relationship between the CMRA and the addressee terminates, neither the addressee nor the CMRA will file a Change-of-Address Order with the Post Office. The CMRA must write the date of termination on its duplicate copy of PS Form 1583. The CMRA must notify the Post Office of termination dates through the quarterly updates (due on January 15th, April 15th, July 15th, and October 15th) of the alphabetical list of customers cross-referenced to the CMRA addressee delivery designations. The alphabetical list must contain all new customers, current customers, and those customers who terminated within the last 6 months, including the date of termination. The CMRA must retain the endorsed duplicate copies of PS Forms 1583 for 6 months after the termination date. PS Forms 1583 filed at the CMRA business location must be available at all times for examination by postal representatives and the Postal Inspectors.
  - (2) The re-mail of mail intended for the addressee (customer) is the responsibility of the CMRA. This includes at least a 6-month period after the termination date of the agency relationship between the CMRA and the addressee. Mail that is re-mailed by the CMRA requires new postage. This re-mailing obligation need not be fulfilled if the CMRA customer provides written instructions to the CMRA that the mail (or specific types of mail) not be re-mailed upon termination of the relationship. This instruction may be provided in an internal service agreement between the customer and CMRA or by a separate document. Written instructions from the customer regarding the handling of this mail must not stipulate that the CMRA refuse or return it to sender, or hold this mail and return it to the Post Office, or redeposit it in the mails without new postage during the 6-month re-mail period. At the end of the 6-month re-mail period, the CMRA may return to the Post Office only First-Class Mail, Priority Mail®, Priority Mail Express, accountable mail, or Parcel Post™ received for the former addressee (customer). The CMRA must return this mail to the Post Office the next business day after receipt with this endorsement: "Undeliverable, Commercial Mail Receiving Agency, No Authorization to Receive Mail for this Addressee." This mail is returned to the Post Office without new postage. The CMRA must not deposit return mail in a collection box. The CMRA must give the return mail to the letter carrier or return it to the Post Office responsible for delivery to the CMRA. Upon request, the agent must provide to the Postal Service™ all addresses to which the CMRA re-mails mail.
  - (3) If mail is re-mailed by the CMRA to the address of a former customer during the 6-month re-mail period and returned by the

Postal Service endorsed “Moved, Left No Address,” then the CMRA may return that mail to the Post Office with the approval of the postmaster or station manager. The approval is subject to evidence that the mail was re-mailed with new postage to the former customer at (a) the address provided when the relationship was terminated and/or (b) the verified home or business permanent address provided on the customer’s PS Form 1583. Upon approval, the CMRA may return to the Post Office only First-Class Mail, Priority Mail, Priority Mail Express, accountable mail, and Parcel Post received for the former customer. The CMRA must return this mail to the Post Office the next business day after receipt without new postage, and the Post Office will return it to the sender.

- (4) A CMRA may not refuse delivery of mail if the mail is for an addressee who is a customer or former customer (within the last 6 months). The agreement between the addressee and the CMRA obligates the CMRA to receive all mail, except restricted delivery, for the addressee. The addressee may authorize the CMRA in writing on PS Form 1583 (block 5) to receive restricted delivery mail for the addressee.
- (5) If the CMRA has no PS Form 1583 on file for the intended addressee, the CMRA must return that mail to the Post Office responsible for delivery with this endorsement: “Undeliverable, Commercial Mail Receiving Agency, No Authorization to Receive Mail for this Addressee.” This mail is returned to the Post Office without new postage. The CMRA must return misdelivered mail the next business day after receipt.
- (6) The CMRA must not deposit return mail in a collection box. The CMRA must give the return mail to the letter carrier or return it to the Post Office responsible for delivery to the CMRA.
- (7) A CMRA must represent its delivery address designation for the intended addressees by the use of “PMB” (private mailbox) or the alternative “#” sign. Mailpieces must bear a delivery address that contains the following elements, in this order:

***Preferred Format***

- (a) Line 1: Intended addressee’s name or other identification. Examples: JOE DOE or ABC CO.
- (b) Line 2: PMB and number or the alternative # sign and number. Examples: PMB 234 or #234.
- (c) Line 3: Street number and name or Post Office box number or rural route designation and number. Examples: 10 MAIN ST or PO BOX 34 or RR 1 BOX 12.
- (d) Line 4: City, state, and ZIP Code™ (5-digit or ZIP+4®). Example: HERNDON VA 22071-2716.

Examples of acceptable four-line format addresses are:

JOE DOE  
PMB 234

RR 1 BOX 12  
HERNDON VA 22071-2716

or

JOE DOE  
#234  
10 MAIN ST STE 11  
HERNDON VA 22071-2716

***Alternate Format***

- (a) Line 1: Intended addressee's name or other identification.  
Examples: JOE DOE or ABC CO.
- (b) Line 2: Street number and name or Post Office box number and PMB and number or the alternative # sign and number.  
Examples: 10 MAIN ST PMB 234 or #234 or PO BOX 34 PMB 234 or #234.
- (c) Line 3: City, state, and ZIP Code (5-digit or ZIP+4).  
Example: HERNDON VA 22071-2716.

***Exception:*** When the CMRA's physical address contains a secondary address element (e.g., rural route box number, "suite," "#," or other term), the CMRA customer must use "PMB" in the three-line format. In this case, the following must be used:

JOE DOE  
10 MAIN ST STE 11 PMB 234  
HERNDON VA 22071-2716

and

JOE DOE  
RR 12 BOX 512 PMB 234  
HERNDON VA 22071-2716

It is also not permissible to combine the secondary address element of the physical location of the CMRA address and the CMRA customer private mailbox number (e.g., 10 MAIN ST STE 11-234). The CMRA must write the complete CMRA delivery address used to deliver mail to each individual addressee or firm on PS Form 1583 (block 3). The Postal Service may return mail without a proper address to the sender endorsed "Undeliverable as Addressed, Missing PMB or # Sign."



Exhibit 612.13

**PS Form 1583, Application for Delivery of Mail Through Agent**

United States Postal Service® <b>Application for Delivery of Mail Through Agent</b> See Privacy Act Statement on Reverse		1. Date	
<p>In consideration of delivery of my or our (firm) mail to the agent named below, the addressee and agent agree: (1) the addressee or the agent must not file a change of address order with the Postal Service™ upon termination of the agency relationship; (2) the transfer of mail to another address is the responsibility of the addressee and the agent; (3) all mail delivered to the agency under this authorization must be prepaid with new postage when redeposited in the mails; (4) upon request the agent must provide to the Postal Service all addresses to which the agency transfers mail; and (5) when any information required on this form changes or becomes obsolete, the addressee(s) must file a revised application with the Commercial Mail Receiving Agency (CMRA).</p> <p><b>NOTE:</b> The applicant must execute this form in duplicate in the presence of the agent, his or her authorized employee, or a notary public. The agent provides the original completed signed PS Form 1583 to the Postal Service and retains a duplicate completed signed copy at the CMRA business location. The CMRA copy of PS Form PS 1583 must at all times be available for examination by the postmaster (or designee) and the Postal Inspection Service. The addressee and the agent agree to comply with all applicable Postal Service rules and regulations relative to delivery of mail through an agent. Failure to comply will subject the agency to withholding of mail from delivery until corrective action is taken.</p> <p>This application may be subject to verification procedures by the Postal Service to confirm that the applicant resides or conducts business at the home or business address listed in boxes 7 or 10, and that the identification listed in box 8 is valid.</p>			
2. Name in Which Applicant's Mail Will Be Received for Delivery to Agent. (Complete a separate PS Form 1583 for EACH applicant. Spouses may complete and sign one PS Form 1583. Two items of valid identification apply to each spouse. Include dissimilar information for either spouse in appropriate box.)		3a. Address to be Used for Delivery (Include PMB or # sign.)	
		3b. City	3c. State 3d. ZIP + 4®
4. Applicant authorizes delivery to and in care of: a. Name b. Address (No., street, apt./ste. no.) c. City d. State e. ZIP + 4		5. This authorization is extended to include restricted delivery mail for the undersigned(s):	
6. Name of Applicant		7a. Applicant Home Address (No., street, apt./ste. no.)	
8. Two types of identification are required. One must contain a photograph of the addressee(s). Social Security cards, credit cards, and birth certificates are unacceptable as identification. The agent must write in identifying information. Subject to verification. a. b.		7b. City	7c. State 7d. ZIP + 4
		7e. Applicant Telephone Number (Include area code)	
		9. Name of Firm or Corporation	
		10a. Business Address (No., street, apt./ste. no.)	
		10b. City	10c. State 10d. ZIP + 4
Acceptable identification includes: valid driver's license or state non-driver's identification card; armed forces, government, university, or recognized corporate identification card; passport, alien registration card or certificate of naturalization; current lease, mortgage or Deed of Trust; voter or vehicle registration card; or a home or vehicle insurance policy. A photocopy of your identification may be retained by agent for verification.		10e. Business Telephone Number (Include area code)	
		11. Type of Business	
12. If applicant is a firm, name each member whose mail is to be delivered. (All names listed must have verifiable identification. A guardian must list the names of minors receiving mail at their delivery address.)			
13. If a CORPORATION, Give Names and Addresses of Its Officers		14. If business name (corporation or trade name) has been registered, give name of county and state, and date of registration.	
Warning: The furnishing of false or misleading information on this form or omission of material information may result in criminal sanctions (including fines and imprisonment) and/or civil sanctions (including multiple damages and civil penalties).			
15. Signature of Agent/Notary Public		16. Signature of Applicant (If firm or corporation, application must be signed by officer. Show title.)	
PS Form 1583, December 2004 (Page 1 of 2) (7530-01-000-9365)		This form on Internet at www.usps.com®	

Exhibit 612.13 (p. 2)

**PS Form 1583, Application for Delivery of Mail Through Agent**

**Privacy Act Statement:** Your information will be used to authorize the delivery of your mail to the designated addressee as your agent. Collection is authorized by 39 USC 401, 403, and 404. Providing the information is voluntary, but if not provided, we cannot provide this service to you. We do not disclose your information without your consent to third parties, except for the following limited circumstances: to a congressional office on your behalf; to financial entities regarding financial transaction issues; to a USPS® auditor; to entities, including law enforcement, as required by law or in legal proceedings; to contractors and other entities aiding us to fulfill the service; and for the purpose of identifying an address as an address of an agent who receives mail on behalf of other persons. Information concerning an individual who has filed an appropriate protective court order with the postmaster will not be disclosed except pursuant to court order. For more information on our privacy policies, see our privacy link on [usps.com](https://usps.com)®.

**612.14 OBC Acting as a CMRA**

The procedures for an office business center (OBC) or part of its operation acting as a CMRA for postal purposes are as follows:

- a. An OBC is a business that operates primarily to provide private office facilities and other business support services to individuals or firms (customers). OBCs receive single-point delivery. OBC customers who receive mail at the OBC address will be considered CMRA customers for postal purposes under the standards set forth in b. Parties considered CMRA customers under this provision must comply with the standards set forth in DMM 508.1.8.1. An OBC must register as a CMRA by completing PS Form 1583-A, *Application to Act as a Commercial Mail Receiving Agency*, and comply with all other CMRA standards if one or more customers receiving mail through its address is considered a CMRA customer.
- b. An OBC customer is considered to be a CMRA customer for postal purposes if its written agreement with the OBC provides for mail service only or mail and other business support services (without regard for occupancy or other services that the OBC might provide and bill separately). Additionally, an OBC customer receiving mail at the OBC address is considered to be a CMRA customer for postal purposes and must complete PS Form 1583, *Application for Delivery of Mail Through Agent*, if each of the following is true:
  - (1) The customer's written agreement with the OBC does not provide for the full-time use of one or more of the private offices within the OBC facility.
  - (2) The customer's written agreement with the OBC does not provide all of the following:
    - (a) The use of one or more of the private offices within the facility for at least 16 hours per month at market rate for the location.
    - (b) Full-time receptionists service and live personal telephone answering service during normal business hours and voice mail service after hours.
    - (c) A listing in the office directory, if available, in the building in which the OBC is located.
    - (d) Use of conference rooms and other business services on demand, such as secretarial services, word processing, administrative services, meeting planning, travel arrangements, and video conferencing.
- c. Notwithstanding any other standards, a customer whose written agreement provides for mail services only or mail and other business support services will not be considered an OBC customer (without regard for occupancy or other services that an OBC may provide and bill for on demand).
- d. The Postal Service may request from the OBC copies of written agreements or any other documents or information needed to determine compliance with these standards. Failure to provide

requested documents or information might be basis for suspending delivery service to the OBC under the procedures set forth in DMM 508.1.8.2.

#### 612.15 **Procedures for an Abandoned CMRA**

In the event a CMRA abandons operations:

- a. The Postal Service delivery unit must immediately post a notice at the CMRA location informing the CMRA customers of the location of their mail for pick-up. The delivery unit will hold the mail for 10 business days from the date of the posted notice.
- b. Provide a Mover's Guide when the CMRA customer picks up the mail. Advise the CMRA customer to immediately notify all correspondents of new mailing address and to file a Change-of-Address Order.
- c. Review the Change-of-Address Order and process per normal procedures and send the CMRA customer's mail to the Computerized Forwarding System (CFS) for forwarding.
- d. At the end of 10 business days, complete a Change-of-Address Order marked as "Moved, Left No Address" for any CMRA customer who has not filed a Change-of-Address Order. Send all former CMRA customer mail (except unendorsed USPS Marketing Mail) to CFS for processing.
- e. Permit the CMRA customer of the abandoned CMRA to file a Change-of-Address Order for a period not to exceed 30 business days after the 10 business day hold period prescribed in subsection [a](#). Inform the customer that mail previously received was returned to sender as undeliverable mail. Advise the customer to immediately notify all correspondents of new mailing address. The appropriate delivery person must complete a Forwarding Order Change Notice, PS Form 3546, modifying the original "Moved, Left No Address" order to the forwarding order now filed.
- f. The above exceptions do not apply where a CMRA owner operates at more than one location and discontinues operations at some, but not all, locations. In that instance, the owner is still responsible for mail addressed to customers at the discontinued location(s).

#### 612.16 **Compliance With Proper Procedures**

To ensure the CMRA complies with proper procedures, the postmaster must:

- a. Provide for periodic compliance reviews by postal representatives or the Postal Inspectors at CMRA locations.
- b. Obtain quarterly (due on January 15th, April 15th, July 15th, and October 15th) from the CMRA a list of all customers shown in alphabetical order cross-referenced to the CMRA addressee delivery designations. The alphabetical list must contain all new customers, current customers, and those customers who terminated within the last 6 months, including the date of termination. Utilize the quarterly alphabetical list to audit the PS Form 1583 files maintained at the Post Office and CMRA compliance with payment of new postage to re-mail.
- c. Retain the original copies of PS Forms 1583 two years from the termination date of the agency relationship with the addressee.

- d. Verify there is no misrepresentation of the delivery address designation used to deliver mail to each individual addressee or firm as being a structure or address other than a private mailbox (PMB). Return mail without a proper address to the sender endorsed "Undeliverable as Addressed."
- e. Review PS Forms 1583 or 1583-A to ensure there is no modification or alteration by the CMRA or its customer. Modified or altered forms are invalid and the addressee's mail returned to sender in accordance with Postal Service regulations.
- f. Periodically monitor mail going to the CMRA to ensure delivery to each addressee authorized through PS Forms 1583 and 1583-A. Use the quarterly alphabetical list of CMRA customers to examine a random sample of mail delivered to the CMRA.
- g. Withhold mail from delivery to the agency and return to the sender "Undeliverable as Addressed," if the CMRA has no forms on file authorizing it to act as an agent for receipt of mail for the intended addressee.
- h. Provide for an annual review at the CMRA business location to ensure compliance with DMM 508.1.8.1 through DMM 508.1.8.3 and other applicable postal requirements.
- i. With the next higher level approval and notification to the Inspector-In-Charge, suspend delivery to a CMRA that, after proper notification, fails to comply with DMM 508.1.8.1 through DMM 508.1.8.3 or other applicable postal requirements. The proper notification must be in writing outlining the specific violation(s) with a reasonable time to comply. If the CMRA fails to comply with the written notification, the postmaster must receive approval from the next higher level and notify the Postal Inspector-In-Charge before suspension of delivery service to a CMRA.
- j. With approval of suspension of delivery, the postmaster must provide the CMRA with written notification of the effective date and the reason(s). If the CMRA fails to comply by the effective date, return mail to sender endorsed "Delivery Suspended to Commercial Mail Receiving Agency."
- k. Provide semiannually by January 15th and July 15th a current list of CMRAs to the Inspector-In-Charge.

#### 612.2 **Mail Addressed to Minors**

A minor's guardian may control delivery of mail addressed to the minor. If there is no guardian, and the minor is unmarried, then either parent may receive delivery of the minor's mail.

#### 612.3 **Mail Addressed to Incompetents**

If a person is legally declared incompetent, that person's mail may be delivered under the order of his or her guardian or conservator. Where there is no legal representative, the mail is delivered as addressed.

## 612.4 Mail Addressed to Deceased Persons

### 612.41 Delivery

The Postal Service should deliver as addressed any mail addressed to a deceased person. Anyone who would normally receive the addressee's mail at that address may receive the mail. If there is evidence that an individual is deceased and the mail is not being picked up, then:

- a. The carrier must:
  - (1) Complete a PS Form 3849, *Delivery Notice/Reminder/ Receipt*, and leave it in the mail receptacle.
  - (2) Take the mail back to the office.
  - (3) Bundle the mailpieces and endorse the top mailpiece with the current date, then place the bundle with other mail held for customers. These actions begin the 20-day hold period.
- b. The carrier must not:
  - (1) Make any further delivery to this address for this individual, unless written notification is received or the 20-day holding period has expired.
  - (2) Initiate a PS Form 3575, *Change-of-Address Order*, for a deceased person.

Only if the Postal Service has received no written instructions after 20 days should carriers treat the mail as undeliverable.

### 612.42 Mail That Can Be Forwarded

Mail described in [612.41](#) may be forwarded to a different address, including that of an appointed executor or administrator, if an order of request is filed at the Post Office.

### 612.43 Mail That Must Be Returned

Federal government checks addressed to a deceased person should be returned to the mailing federal agency without attempting delivery. Other mail endorsed "Return to Sender if Addressee Is Deceased" should be returned also without attempting delivery.

## 613 Jointly Addressed Mail

### 613.1 Delivery of Jointly Addressed Mail

Where mail is jointly addressed (for example, "Mr. and Mrs. John Doe" or "John and Jane Doe"), neither party is entitled to control delivery of such mail over the objection of the other. Jointly addressed mail is delivered as addressed by the sender, as long as one of the addressees can receive it there.

### 613.2 Delivery of Mail Addressed to Husbands or Wives

Neither party may control delivery of mail addressed to the other. In the absence of delivery instructions, the mail must be delivered as addressed by the sender. Refer to [616](#) for conflicting orders for delivery.

**614 Delivery to Individuals at Organizations****614.1 At Organization Address**

All mail addressed to a governmental or nongovernmental organization (including but not limited to corporations, firms, sole proprietorships, partnerships, joint ventures, and associations) or to an individual by name or title (an official, employee, contractor, client, agent, etc.) at the address of the organization is delivered to the organization. This regulation also applies to mail addressed in this manner to former officials, employees, contractors, agents, clients, or others associated with the organization. If disagreement arises about where any such mail should be delivered, it must be delivered according to the order of the organization's president or equivalent official.

**614.2 Not at Organization Address**

Mail addressed to a governmental or nongovernmental official by title or by organization name, but not to the address of the organization, must be delivered to the organization if the organization so directs.

**615 Delivery to Persons at Hotels, Institutions, and Schools****615.1 Mail Addressed to Patients or Inmates**

Mail addressed to patients or inmates at institutions is delivered to the institutional authorities who, in turn, deliver the mail to the addressee under the institution's rules and regulations. If the addressee is no longer at that address, the mail must be redirected to his or her current address by the institution. If the forwarding address is unknown, the mail is returned to the Post Office.

**615.2 Mail Addressed to Persons at Hotels, Schools, and Similar Places**

Mail addressed to persons at hotels, schools, and similar places is delivered to the hotel or school. If the addressee is no longer at that address, the mail is redirected to his or her current address by the hotel or school. If the forwarding address is unknown, the mail is returned to the Post Office. For mail addressed to prisoners, see ASM 274.96.

**615.3 Registered Mail Addressed to Persons at Hotels and Apartment Houses**

Registered Mail addressed to persons at hotels and apartment houses is delivered to the persons designated by the management of the hotel or apartment house in a written agreement with the Postal Service. PS Form 3801-A, *Agreement by a Hotel, Apartment House, or the Like*, must be executed for this purpose. If delivery of the Registered Mail is restricted by the sender, it may not be delivered to the representative of the hotel or apartment house unless the addressee has authorized that person in writing to receive his or her restricted-delivery mail. Authorization may be made on PS Form 3849, *Delivery Notice/Reminder/Receipt*; PS Form 3801, *Standing Delivery Order*; or by a letter to the postmaster.

## 616 **Conflicting Orders by Two or More Parties for Delivery of Same Mail**

### 616.1 **Delivery to Receiver**

Where persons make conflicting orders for delivery of the same mail, and they are unable to agree among themselves which party should receive the mail, the mail may be delivered to a named receiver or third party unanimously agreed to by the disputing parties.

### 616.2 **Receiver in Dispute**

#### 616.21 **Steps for Resolution**

The following Postal Service authorities have responsibilities in attempting to resolve disputes:

- a. *Postmaster.* If the disputing parties are unable to select a receiver, they must furnish the postmaster all evidence on which they rely to exercise control over the disputed mail.
- b. *Chief Field Counsel.* If after 5 workdays from receipt of such evidence the postmaster is still in doubt about who should receive the mail, the postmaster must submit the case to the chief field counsel for informal resolution.
- c. *Judicial Officer Department.* If after 5 workdays from receipt of the case, or such additional time as may be agreed to by all parties, no informal resolution is achieved and no order is made by the chief field counsel to return the mail to the sender, the chief field counsel must forward the case file to the Judicial Officer Department for decision under the rules of procedure of that department.

#### 616.22 **Holding of Disputed Mail**

If a dispute is referred to the Judicial Officer Department, the postmaster must hold the disputed mail as follows:

- a. *Ordinary Mail.* Hold the mail until such time as notice of final disposition is received from the judicial officer.
- b. *Accountable Mail.* Hold Registered Mail, Certified Mail, Insured Mail, COD, and Return Receipt for Merchandise Mail for the amount of time permitted by DMM F030, or until resolution of the dispute, whichever comes first.
- c. *Priority Mail Express.* Hold Priority Mail Express as specified by DMM F030, or until resolution of the dispute, whichever comes first.

#### 616.23 **Returned Mail**

Endorse returned items "In Dispute."

### 616.3 **Delivery of Mail According to Court Order**

When the same mail is claimed by different persons, and a court decides to whom delivery should be made, the mail is delivered according to the court order.



## 617 Other Delivery Procedures

### 617.1 Delivery in Multiple-Floor Buildings

Accountable mailpieces and/or items that do not fit into the mailbox or parcel locker are attempted in person to the addressee or authorized agent, without regard to the floor on which his or her office or apartment is located.

**Exception:** If there is no working elevator in buildings with more than three (3) floors, delivery of accountable mailpieces and/or items that do not fit into the mailbox or parcel locker (if available) will be delivered to one (1) authorized, designated location on the first floor, or PS Form 3849 will be completed and left in the customer's mailbox.

Cooperation of customers is requested, however, in making arrangements for mail to be delivered on the first floor.

### 617.2 Delivery of Parcels

#### 617.21 Heavy or Bulky Items

A heavy or bulky item of any class is delivered as addressed, if facilities are available.

#### 617.22 Delivery to Other Than the Addressee or Mail Receptacle

Unless the addressee has filed a written order asking that parcels not be left outside the authorized delivery receptacle, uninsured parcels or parcels that do not require a signature may be left in an unprotected location, such as a stairway or uncovered porch, if:

- a. The addressee has filed a written order to leave parcels.
- b. The mailer has endorsed the item "Carrier — Leave If No Response." The endorsement must appear directly to the left of the postage area (preferred) or be placed directly below the return address. A minimum 1/4 inch clear space must appear between any other printing and the carrier release endorsement. If an ancillary service endorsement is used, the carrier release endorsement must be separated from the ancillary service endorsement by the equivalent of one blank line of the type size used.

### 617.3 Additional Attempts to Deliver

#### 617.31 Someone Normally Available to Receive Parcel

When someone is normally available to receive parcels, and an uninsured parcel (a parcel not requiring a signature or a parcel that is not part of the Carrier Release Program) cannot be delivered on the carrier's first attempt, a second delivery attempt is made the next working day and no PS Form 3849 is left on the initial attempt. If the parcel cannot be delivered on the second attempt, a PS Form 3849 is left at the address to indicate that the parcel is being held.

#### 617.32 No One Usually Available to Receive Parcels

If no one is available to receive the parcel, the carrier knows that someone at the address is not usually available to receive parcels, and the parcel is insured, requires a signature, or is not part of the Carrier Release Program, a

PS Form 3849 is completed and left after the first attempt. When it is not known if someone is usually available to receive parcels, a PS Form 3849 is left after the first attempt if the parcel is insured, requires a signature, or is not part of the Carrier Release Program. Additional attempts are made only at the customer's request.

#### 617.33 **Parcel Not Called For**

A second notice is sent if the parcel is not called for after 5 days. If there is no response within 15 days after the first notice and no retention period is specified by the sender, the parcel is treated as undeliverable according to POM [68](#), Undeliverable Mail. When a retention period is specified, it is observed up to 30 days after the first notice. An additional attempt to deliver is made only if requested by the addressee.

#### 617.34 **Perishable Parcel**

If a parcel is endorsed "Postmaster: Perishable. If not delivered within 5 days, call 1-800-XXX-XXXX." A Postal Service employee must call the telephone number printed by the mailer in the endorsement. The Postal Service employee gives the mailer the customer's name, address, and, if necessary, keyline information. A second attempt to deliver is made only if requested by the addressee. A second notice is sent if the parcel is not called for after 5 days. If the parcel remains unclaimed 10 days after the first delivery attempt or the retention period specified by the mailer, the parcel is handled according to POM 68, Undeliverable Mail. Mailers of perishable items who want to use this endorsement must place the endorsement along the left or bottom edge of the address label. The lettering of the endorsement must be in boldface type and as large as, or larger than, the lettering of the addressee's name and address but never smaller than 8-point type.

### 618 **Delivery to Military Organizations and Naval Vessels**

#### 618.1 **Units Not Operating Military Post Offices**

Mail addressed to the Commanding General, Commander, Commanding Officer, staff sections and other officials by title, and personnel of military organizations is delivered to unit mail clerks or mail orderlies when such individuals are designated on DD Form 285, *Appointment of Unit Mail Clerk or Mail Orderly*, to receive all mail addressed to the unit for which designated. If the unit mail clerk or mail orderly is designated on DD Form 285 to receive ordinary mail only, then Registered Mail, numbered Insured Mail, Certified Mail, and Restricted-Delivery Mail addressed to individuals by name may be delivered to the unit mail clerk or mail orderly only if authorized by the addressee in a letter to the Post Office, PS Form 3849, or PS Form 3801.

#### 618.2 **Units Operating Military Post Offices**

All mail addressed to military organizations that operate military Post Offices is delivered to the military postal clerk, assistant postal clerk, or postal finance clerk for the organization. Additionally, mail for other military organizations may be delivered to military postal clerks or postal finance clerks for further delivery when requested.

**618.3 Identification**

Unit mail clerks, mail orderlies, postal clerks, and assistant postal clerks must provide proper identification to obtain mail. Required identifications are DD Form 285, showing classes of mail that the bearer is authorized to receive, and a military identification card (for a civilian employee, a government-issued identification card with the employee's picture).

**618.4 Return Receipts**

Return receipts for Registered Mail, numbered Insured Mail, and Certified Mail must not be completed by anyone except the addressee.

**619 Mail Claim Check System****619.1 General****619.11 Purpose**

The Mail Claim Check System is a system for notifying customers of the arrival of mail and for obtaining receipts for delivered mail. The system is designed primarily for handling mail intended for carrier delivery, but it is also used for mail addressed to Post Office boxes or general delivery.

**619.12 Scope****619.121 Notice of Arrival and Claim**

The system uses PS Form 3849 that serves both as a notice of arrival and a claim check for accountable mail and for other articles that cannot be immediately delivered. It also serves as a delivery receipt for Registered Mail, numbered Insured Mail, Certified Mail, Return Receipt for Merchandise Mail, or other signature Mail.

**619.122 Definition of Carrier**

For these instructions, the term *carrier* includes postal vehicle service (PVS) drivers and carriers serving city, rural, and all other types of carrier delivery routes. Also, the term *Post Office box* includes caller service and detached Post Office box service.

**619.123 Use**

The system is used when mail intended for delivery by carrier is held for redelivery or customer pickup. It also applies to Post Office box and general delivery mail.

**619.124 Post Office Box or General Delivery**

The system is not used for mail intended for Post Office box or general delivery if a separate storage area is provided for this type of mail. It is not used at installations that provide only Post Office box and/or general delivery service.

**619.125 Delivery Receipts**

Two methods of delivery receipt storage and retrieval are supported by the U.S. Postal Service under the signature capture process. [Exhibit 619.125](#) provides site-specific information on electronic and manual record management sites.

- a. **Electronic Record Management (ERM).** Delivery receipts for offices in the ERM program will be stored electronically in the Product Tracking System (PTS) database. All signature mail will have barcoded and/or numbered labels, which will be scanned at the time of delivery or attempted delivery using handheld scanners. Recipient information (including signature, printed name, and address) will be captured on PS Form 3849, *Delivery Notice/Reminder/Receipt*, and optically scanned and stored in PTS along with the delivery event data. Delivery record information will be available for retrieval via the Postal Service Intranet or, for records filed manually or for offices that do not have access to the Intranet, by using PS Form 3811-A, *Request for Delivery Information/Return Receipt After Mailing*, according to retention periods as stated in ASM 351.
- b. **Manual Record Management (MRM).** Delivery receipts for offices in the MRM program are filed and retrieved according to existing local office procedures. All delivery records for items delivered prior to the advent of the electronic management program will be manually stored according to local office procedures and stated retention periods. These records will be available for retrieval when a request is made using PS Form 3811-A.

Exhibit 619.125

**Listing of Electronic Record Management (ERM) and Manual Record Management (MRM) Sites**

<b>Domestic</b>	<b>Status</b>
Continental United States, Hawaii, Alaska	ERM
<b>Territories and Possessions</b>	<b>Status</b>
American Samoa	
Manua Island	MRM
Swain's Island	MRM
Tutuila Island	MRM
Baker Island	MRM
Guam	MRM
Howland Island	MRM
Jarvis Island	MRM
Johnston Atoll	
East Island	MRM
Johnston Island	MRM
North Island	MRM
Sand Island	MRM
Kingman Reef	MRM
Midway Atoll	
Eastern Island	MRM
Sand Island	MRM
Spit Island	MRM
Navassa Island	MRM
Northern Mariana Islands, Commonwealth of the	
Rota Island	MRM
Saipan Island	MRM
Tinian Island	MRM
Palmyra Atoll	MRM
Puerto Rico, Commonwealth of	ERM

<b>Territories and Possessions</b>	<b>Status</b>
U.S. Virgin Islands	
St. Croix Island	ERM
St. John Island	ERM
St. Thomas Island	ERM
Wake Atoll	
Peale Island	MRM
Wake Island	MRM
Wilkes Island	MRM

<b>Freely Associated States</b>	<b>Status</b>
Marshall Islands, Republic of the	
Ebeye Island	MRM
Majuro Island	MRM
Palau, Republic of	
Koror Island	MRM
Micronesia, Federated States of	
Chuuk [Truk] Island	MRM
Kosrae Island	MRM
Pohnpei Island	MRM
Yap Island	MRM

<b>Military</b>	<b>Status</b>
APO/FPO	MRM

619.2 **Use**619.21 **Forms**619.211 **PS Form 3849, *Delivery Notice/Reminder/Receipt***

The required form for the mail claim check system is PS Form 3849, which has the following five uses:

- Delivery receipt for Registered Mail, numbered Insured Mail, Certified Mail, or other signature Mail.
- Notification form for mail that cannot be delivered immediately.
- Second notice or reminder for an unclaimed article.
- Claim check for retrieving mail at Post Offices.
- Offices using manual record management must make a record for accountable mail articles (Registered Mail, numbered Insured Mail, Certified Mail, COD, and Priority Mail Express) returned to sender.

619.212 **Privately Printed Forms**

Mailers may not print PS Form 3849 unless authorized by the manager, Information Systems, Expedited/Package Services, Headquarters.

619.22 **Delivery**619.221 **Receipt for Registered, Numbered Insured, Certified, and Other Signature Mail**

PS Form 3849 must be used as a receipt for Registered Mail, numbered Insured Mail, Certified Mail, and other signature Mail when delivery is made. The carrier completes the form, has the recipient sign it under established procedures, ensures the delivery address is recorded, and returns the form

to the delivery unit. Each customer signature (including printed name) must be collected on PS Form 3849.

619.222 **Notification of Mail That Cannot Be Delivered**

Delivery employees must use PS Form 3849 to notify customers of the arrival of mail that cannot be delivered. Carriers must check the name and address on the article for accuracy and legibility, since it is stored according to this information. The carrier must then return the item to the delivery unit for processing and storage.

619.223 **Reminder or Notice of Second Attempted Delivery**

PS Form 3849 is delivered to the addressee as a second notice or reminder when required either for unclaimed articles or when second delivery attempts are unsuccessful. The recipient uses the form to retrieve the article.

619.224 **Notice of Arrival of COD Mail**

PS Form 3849 may be used as a notice of arrival and as a record of delivery for ordinary COD Mail.

619.23 **Claiming Mail**

619.231 **Customer Action**

Customers claim their mail by presenting PS Form 3849 to the retail clerk at the location shown on the form. To claim Registered Mail, numbered Insured Mail, Certified Mail, or other signature Mail, a customer who is not known to the retail clerk must provide an acceptable primary form of identification (see [131.3](#)) and must sign PS Form 3849.

619.232 **Without Claim Check**

A customer may obtain an article without a claim check; however, if the article is Registered Mail, numbered Insured Mail, Certified Mail, or other signature Mail, the customer must identify himself or herself and sign PS Form 3849.

619.233 **Postal Service Action**

After verifying that the delivery receipt is properly completed and all other delivery procedures followed, the clerk delivers the article and signs and dates the delivery receipt in the "Delivered by" and "Date" blocks.

619.24 **Disposition of Forms 3849**

Maintain PS Forms 3849 as follows:

- a. Electronic Record Management (ERM) sites: Delivery receipts must be sent to the appropriate Computerized Forwarding System (CFS) unit, where they will be optically scanned into the database for future retrieval.
- b. Manual Record Management (MRM) sites: Delivery receipts will be maintained at the office of delivery. Delivery receipts must be kept separate from notices of arrival of ordinary COD and nonaccountable mail. Delivery receipts for registered COD Mail must be kept for disposition under established procedures.
- c. Keep claim checks overnight, including those for ordinary COD Mail that are not required as delivery receipts, and then recycle them according to established procedures.

## 619.25 **Storage of Mail Awaiting Customer Pickup**

### 619.251 **Procedure**

At the delivery unit, either write or stamp near the customer's address: the date of the initial attempt, the date of second notice, and the date of return; endorse with initials of the Notice Left employee; and place in storage bins or on shelves, according to [619.251a](#) through [619.251c](#). If more than one item has the same number used in a numerical storage system, alphabetize the items within the separation. Use one of the following filing systems:

- a. Alphabetical by last name or alphabetical by last name and date of attempt.
- b. Last number of the delivery address.
- c. Last two numbers of the delivery address.
- d. By Post Office box number.

### 619.252 **Parcels and Accountable Mail**

Store mail in appropriate storage bins or shelves as follows in the designated areas by category (areas may be combined):

- a. Certified Mail: in the designated area with separations for letters and flats.
- b. COD: in the designated area.
- c. Customs: in the designated area.
- d. Priority Mail Express: in the designated area.
- e. Hold For Pickup: in the designated area.
- f. Postage Due: in the designated area with separations for letters, flats, and parcels, if necessary.
- g. Registered Mail: under control of the responsible employee at all times in a secure area, as per DM 901-3-3.3.2.
- h. Post Office Box: in the designated area.
- i. Parcels: in the designated area. All types of parcels not listed above intermingled in a designated Parcel Post area.

## 619.3 **Overprinting**

Each PS Form 3849 requires information such as Post Office, station, or branch; address; business hours; and telephone number. When economically feasible, this information can be overprinted at the same time the basic form is printed. Overprinting is generally limited to large quantities. Overprinting of forms is coordinated by a purchasing specialist at your area purchasing and materials service center. Offices not ordering overprinted stock must use a hand stamp to note office information on each PS Form 3849.

## 62 Delivery Schedules and Trip Frequencies

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### 621 Schedules

#### 621.1 Priority Mail Express, First-Class Mail, and Priority Mail

Deliver on the first trip all Priority Mail Express, First-Class Mail, and Priority Mail received at the central distribution facility prior to the established cutoff time.

#### 621.2 Periodicals

Deliver Periodicals on the first scheduled delivery trip following receipt at the delivery unit, provided that such delivery does not delay First-Class Mail.

#### 621.3 USPS Marketing Mail

Deliver USPS Marketing Mail not later than second delivery day after day of receipt. (Day of receipt begins at midnight unless the area manager approves a different time.) Deliver mail received on Saturday no later than Tuesday. Deliver circulars received on a day preceding a holiday no later than the second delivery day following the holiday.

#### 621.4 Package Services

Where possible, schedule delivery of Package Services Mail parcels so as to maintain published service standards for these classes of mail.

### 622 Trip Frequencies

Frequency changes must be approved by the area manager.

### 623 Withdrawal of Delivery Service

#### 623.1 Suitable Receptacles

Consider withdrawing service if a customer does not provide a suitable mail receptacle after being so notified by PS Form 1507, *Request to Provide Mail Receptacle* (city delivery routes); by PS Form 4056, *Your Mailbox Needs Attention* (rural and highway contract routes); by letter or verbally.

The Postal Service may withdraw service to a delivery point if a customer does not provide a suitable mail receptacle in the postal-approved location for the delivery of mail after being so notified by local officials by PS Form 1507, *Request to Provide Mail Receptacle* (city delivery routes); by PS Form 4056, *Your Mailbox Needs Attention* (rural and highway contract routes); or by written communication.

#### 623.2 Blocked Mail Receptacles

##### 623.21 General

The customer is responsible for keeping the approach to the mailbox clear to facilitate delivery (see [632.14](#)). If the carrier continually experiences a problem in serving curbside boxes and where the customer is able to control access or on-street parking in front of his or her mailbox but does not take



prompt corrective action after being properly notified, the postmaster may, with the approval of the district manager, withdraw delivery service.

#### 623.22 **Delivery to Mailbox Inside of a Screen or Storm Door**

These mailboxes must meet the following requirements:

- a. When the box is inside a screen or storm door, the door must be left unlocked; otherwise, the box should be located outside the door or a slot should be provided in the outer door.
- b. When porches are screened in or enclosed by other material, and are used as living or sleeping quarters, the screen or storm door is considered the entrance door to the house. In these cases, notify the customers that they must place their mail receptacle outside the door or provide a slot in the door.

#### 623.3 **Safety or Security**

Delivery service may be suspended when there is an immediate threat (including, but not limited to, threats due to loose animals) to the delivery employee, mail security, or postal property. Suspension of service should be limited to an area necessary to avoid the immediate threat. Postmasters should request corrective action from responsible parties and restore normal service as soon as appropriate.

#### 623.4 **Travel Obstructions**

Persons responsible for road maintenance must be notified of road conditions obstructing the delivery of mail. If repairs are not made promptly, service may be withdrawn with the approval of the district manager. Resume service as soon as the road conditions are improved.

#### 623.5 **Vacant Delivery Points**

The Postal Service may withdraw delivery service to vacant delivery points. A vacant delivery point is a delivery point where responsible personnel are aware the delivery point has been unoccupied for a period longer than ninety (90) consecutive days.

## 63 Modes of Delivery, Mail Receptacles, and Keys

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### 631 **Modes of Delivery**

#### 631.1 **General**

The Postal Service-approved modes of delivery available for all existing delivery points, including newly established and extensions of delivery points, are in [631.24](#). Centralized delivery is the preferred mode of delivery for all new residential and commercial developments. Curbside, sidewalk delivery, and door modes are generally not available for new delivery points, with very rare exceptions, as determined by the Postal Service in its sole discretion, on a case-by-case basis. The characteristics of the area to be served and the methods deemed necessary to provide adequate service by the Postal Service are described in greater detail throughout this section.

**631.2 Centralized Delivery (Preferred Mode)**

Centralized delivery service is the preferred mode of delivery and may be provided to call windows, horizontal locked mail receptacles, cluster box units (CBUs), wall-mounted receptacles, or mechanical conveyors (mechanical conveyors are only for high-rise and multiple-tenant buildings, and only if certain conditions are met; consult your postmaster for details).

- a. *Delivery requirements:* CBUs and USPS STD 4C (wall-mounted) equipment may be approved for use at one or more centralized delivery points in a residential housing community or business location. The local postal manager or District designees must approve the mailbox sites and type of equipment. Boxes must be safely located so that customers are not required to travel an unreasonable distance to obtain their mail and to provide sufficient access to mailbox locations. Normally, it is appropriate for the receptacle to be within one block of the residence.
- b. *Centralized delivery addresses:* Centralized delivery mail receptacles (including USPS STD 4C equipment and CBUs, delivery centers, and postal centers) must be identified by the same addresses as the dwellings for which they serve as mail receptacles. The respective, conforming addresses should be displayed inside the boxes and visible only to the carrier and customer when accessing that receptacle. USPS does not assign addresses; however, the sequential ordering of any centralized delivery equipment is subject to USPS approval for operational efficiency and to accommodate special circumstances or requests for hardship delivery. For security or privacy, mailer associations or customer groups may use another alphanumeric identification system on the outside of receptacles that is not part of, or used in, the mailing address.

**631.21 Curbside Delivery**

Delivery may only be provided to boxes at the curb with prior approval from the Postal Service, and so long as they can be efficiently, safely, and conveniently served by the carrier from the carrier's vehicle, and so that customers have reasonable and safe access. Mail receptacles must be grouped two to a property line, where possible.

**631.22 Sidewalk Delivery**

Sidewalk delivery may be provided to boxes located near the public sidewalk, only with prior approval from the Postal Service. Options and requirements for sidewalk delivery, as directed by the Postal Service, are as follows:

- a. If the sidewalk abuts the curb or if other unusual conditions exist (e.g., excessive street parking) that make it difficult or impractical to install or serve boxes at the curblane, customers in these situations may be permitted to install all their boxes at the edge of the public sidewalk nearest the residence, where they can all be served by a carrier from the sidewalk.
- b. If the average lot frontage is 50 feet or less, the boxes must be located so that the carrier can serve them from the sidewalk. The boxes are not required to be grouped together.

- c. If the average lot frontage is over 50 feet and does not exceed 75 feet, the boxes must be installed in groups of at least two.
- d. If the average lot frontage exceeds 75 feet, CBUs must be installed.

#### 631.23 **Door Delivery**

Door delivery may be provided to boxes located at or near the door of a business or residential delivery point, or through a door slot, only with prior approval from the District Manager, and only if the box or mail slot can be efficiently, safely, and conveniently served by the carrier.

**Door delivery will not be available for new delivery points, except in very unusual circumstances as determined by the Postal Service in its sole discretion.**

#### 631.24 **Newly Established or Extended Delivery Points**

##### 631.241 **General**

Newly established or extended business or residential customers must request and receive approval of the delivery location and mode of delivery from the local Postmaster or District designees. These deliveries will not receive mail delivery service until the mail receptacles are installed and the units and locations are approved by local postal management. Options and requirements for modes of delivery are directed by the Postal Service.

##### 631.242 **Newly Established or Extended Centralized Delivery Points (Preferred Mode)**

Centralized delivery is the preferred mode for new or extended business or residential delivery points, with very rare exceptions, as determined by the Postal Service in its sole discretion, on a case-by-case basis (see [631.1](#)). The mail receptacle and location of the delivery point(s) are approved by local postal officials in advance of the occupancy of the residence, business, or other site associated with the delivery point.

##### 631.243 **Newly Established or Extended Sidewalk or Curbside Delivery Points**

Sidewalk or curbside delivery is permitted for new or extended business or residential delivery points, only with prior approval from the Postal Service. The mail receptacle and location of the delivery points are approved by the local District Manager in advance of the occupancy of the residence, business, or other site associated with the delivery points.

##### 631.244 **Newly Established or Extended Door Delivery Points**

Door delivery will not be available for new delivery points, except in unusual circumstances as determined by the Postal Service in its sole discretion. Approval for newly established or extended business or residential door delivery points must come from the Area Vice President or designee. The Area Vice President must report the number of granted requests for newly established or extended business or residential door delivery points to Headquarters Delivery or its designee quarterly.

### 631.3 **Business Areas**

The type and design of buildings govern the mode of delivery to be implemented; the location of USPS-approved delivery equipment is subject to Postal Service approval. Centralized delivery is the preferred mode of delivery for new delivery points, with very rare exceptions, as determined by the Postal Service in its sole discretion, on a case-by-case basis. Modes of delivery are described below:

- a. *Centralized Delivery.* Centralized delivery service is for all business office buildings, office complexes, and industrial/professional parks. This may include call windows, horizontal locked mail receptacles, cluster box units (CBUs), wall-mounted receptacles, or mechanical conveyors (mechanical conveyors are only for high-rise and multiple-tenant buildings, and only if certain conditions are met; consult your postmaster for details).
- b. *Single Point Delivery.* Where an exception to [631.1](#) has been granted by the District Manager or District designee, and subject to Area approval, single-point delivery (door, curbside, or sidewalk) may be provided for single points, receptacles, or door slots provided by business management.
  - (1) If there is an elevator and if the offices are open to receive mail on all normal service days, or if door slots are provided, delivery may be authorized to all floors of office buildings.
  - (2) If there is no elevator, delivery is provided to the first floor, either to a centralized location as prescribed in [631.2a](#), or, where exceptions have been granted, to single points located on the first floor and to the second floor if it is occupied primarily by business offices and when such service is requested.

### 631.4 **Residential Housing (Except Apartment Houses and Transient Mobile or Trailer Homes)**

The available options for residential areas, aside from apartment houses, transient mobile or trailer homes, colleges and universities, and other sites are covered under part [615](#). Delivery mode options are constrained by USPS policies and procedures, in light of the characteristics of the area to be served and the methods needed to provide adequate service. Centralized delivery is the preferred mode for new delivery points. Curbside, sidewalk delivery, and door modes are generally not available for new delivery points, with very rare exceptions, as determined by the Postal Service, in its sole discretion, on a case-by-case basis (see [631.1](#)).

### 631.5 **Exceptions**

#### 631.51 **Extension of Service Within an Existing Block**

New deliveries built or established within a block of existing deliveries can only receive the same type of service as the older deliveries, subject to Postmaster approval and after consideration of Postal Service operational efficiencies. When new development replaces more than one block, delivery methods must comply with mode of delivery options for establishment and extension of delivery service.

**631.52 Hardship Cases**

Procedures and guidelines for changes in delivery in hardship cases are as follows:

- a. Changes in the mode of delivery authorized for a delivery point are considered where service by existing methods would impose an extreme physical hardship on an individual customer. Any request for a change in delivery mode must be submitted in writing.
- b. Approval of these requests should be based on humanitarian and not economic criteria; however, rural delivery customers requesting a hardship extension must also meet current criteria for extension of rural delivery service (see [653](#)). Each request for a change in delivery service should be evaluated based on the customer's needs; a request should not be denied solely because of increased operational costs or because a family member or other party may be available to receive mail for the customer.
- c. If the local postmaster denies a request, the request must be sent to the district for review. The final decision is made by the district manager.
- d. If a customer no longer requires a variation in the type of delivery service, mail service must be restored to the mode of delivery in effect in the area.
- e. Hardship requests must be renewed annually by the customer and approved by the Postmaster.

**631.53 Local Ordinances**

If a customer chooses not to erect a curbside box because of a local, city, county, or state ordinance prohibiting the installation of mailboxes at the curb, the delivery options in establishments and extensions are as follows:

- a. *Centralized Delivery Service.* See [631.2](#).
- b. *Post Office Box or General Delivery Service.* Post Office Box or general delivery service may be provided at the nearest postal facility where carrier delivery emanates, or where may be otherwise available to a customer.

**631.54 Apartment Houses****631.541 General**

Delivery of mail to individual boxes in a residential building containing apartments or units occupied by different addressees is contingent upon USPS concluding the following requirements are met:

- a. The building contains three or more units (above, below, or behind — not side by side) with:
  - (1) A common building entrance such as a door, a passageway, or stairs; and
  - (2) A common street address (some part of the address is shared) approved by local or municipal authorities.
- b. The installation and maintenance of mail receptacles are approved by the Postal Service.

- c. Each apartment is provided one box, including that of any resident manager or janitor, unless the management has arranged for mail to be delivered at the office or desk for distribution by its employees.
- d. The grouping of the boxes for the building is at a single point readily accessible to the carrier.

**Note:** The tenant's correct mailing address is the address of the entrance at which the mail receptacles are located, and should include the apartment number or designated mailbox number.

#### 631.542 **Exceptions**

Delivery of mail to individual boxes in multiple residential buildings containing apartments or units occupied by different addressees is contingent upon USPS concluding the following requirements are met:

- a. If more than one such building in an apartment house complex has the same approved common street number, delivery of mail to individual boxes is contingent on the grouping of all the boxes for the common street number at a single point readily accessible by the carrier even though some boxes may serve residents in more than one building.
- b. If such a building has more than one entrance, delivery of mail to receptacles grouped at more than one entrance is contingent on each entrance to which delivery is made serving three or more apartments or flats and the assignment, by local or municipal authorities, of a different street number to each such entrance.
- c. When new apartments are being erected or existing ones remodeled, postmasters will inform builders and owners of these regulations' requirements and will provide appropriate advice and inspection to ensure that safe and durable receptacles are properly located and installed in conformance with regulations. Postal Service-approved parcel lockers may be used with approved mail receptacles.

#### 631.55 **Mobile or Trailer Homes**

##### 631.551 **Options**

The delivery options for mobile or trailer home developments depend on Postal Service determination of whether the development is permanent or transient.

##### 631.552 **Permanent Developments**

Permanent developments consist of managed mobile home parks or residential mobile home subdivisions where the lots are permanently assigned, the streets are maintained for public use, and the conditions resemble those of a residential subdivision. For permanent developments, the delivery options are either central, curbside, or sidewalk delivery, as directed by the Postal Service, see [631](#).

##### a. *Central Delivery*

- (1) Delivery service may be provided to a single point or receptacle designated by local management for the receipt of mail and distribution by its employees.

- (2) Delivery service may be provided to one or more central points for the direct receipt of mail by postal customers within the area. The requirements for such central delivery are as follows:

- (a) Local Postal Service managers must approve the mailbox sites and equipment.
- (b) Customers must not be required to travel an unreasonable distance to obtain their mail, and reasonable access must be provided to the equipment location.

b. *Curbside Delivery.*

Delivery service may only be provided to boxes at the curb, as directed by the Postal Service, so that they can be served efficiently, safely, and conveniently from the carrier's vehicle and give customers reasonable and safe access. Mail receptacles may be grouped two to a property line where possible.

c. *Sidewalk Delivery*

- (1) If the sidewalk abuts the curb or other unusual conditions exist (e.g., excessive street parking) that make it difficult or impractical to install or serve boxes at the curbline, customers with these situations may install boxes at the edge of the sidewalk nearest the residence where they can all be served by the carrier from the sidewalk.
- (2) In such conditions, if the average lot frontage is 75 feet or less, the sidewalk boxes are not required to be grouped together; if the average lot frontage exceeds 75 feet, the sidewalk boxes must be installed in groups of at least two.
- (3) If the average lot frontage is 50 feet or less, customers may be permitted to locate all their mailboxes at the edge of the sidewalk nearest the residence rather than at the curb, regardless of whether the sidewalk abuts the curb or other unusual conditions exist. All the boxes must be located so the carrier can serve them from the sidewalk.

631.553 **Transient Developments**

Transient developments are mobile home, trailer, and recreational vehicle parks where the lots are temporarily occupied or rented and considered transient, short-term, or seasonal, even though some families may live in them for extended periods. For these developments, the only option is delivery to a single point or receptacle designated by park management and approved by local Postal Service managers for the receipt of all mail and subsequent distribution or mail forwarding by employees of the park. This method is also available for permanent developments.

631.6 **Colleges and Universities**

631.61 **Administration Buildings**

Mail is delivered to principal administration buildings. Mail undeliverable as addressed or not addressed to a specific building is delivered to the main administration building office for further handling. At larger universities, mail is delivered to the different departments, colleges, faculty buildings, or

principal campus structures, such as the Chemistry Building, Engineering Building, and so forth, provided that mail is addressed accordingly and volume warrants such delivery. Delivery is not to be made to individual offices within buildings.

#### 631.62 **Dormitories or Residence Halls**

Mail is delivered to dormitory buildings and residence halls when addressed to a specific building. Mail is delivered in bulk to a designated representative of the school or property, who then becomes responsible for further distribution to students and residents. Postal Service personnel do not distribute mail into apartment-type mailboxes for dormitories or residence halls.

A dormitory building or residence hall often consists of single or multi-room units that may share or have access to centrally located kitchens, bathrooms, showers, or social or common areas. Whether located on or off campus, and regardless of private ownership, such buildings are nevertheless dormitory buildings or residence halls and the building owner or operator is responsible for the final delivery of student mail.

Where no affiliation with the school is established, the Postal Service determines the proper mode of delivery to be established based upon the totality of the circumstances, and may require that designees from the property be identified to accept mail for each location prior to initiating delivery. In making such a determination based upon the totality of the circumstances, the Postal Service weighs the following, among other considerations:

- a. The nature of the leases offered by the property (e.g., whether the leases' starting month corresponds to academic semesters or other school-related schedules and whether the lease term is for a period of less than one year).
- b. Whether the leases are generally for a bedroom within a multi-bedroom unit or for the entire unit and the scope of the lessee's liability in case of default.
- c. The Postal Service's treatment of similarly situated properties.
- d. The property's proximity to the school.
- e. External information furnished by the school and/or by local government, including any pertinent zoning classification.
- f. Whether the property is primarily marketed to students.
- g. The residency turnover rate.
- h. Amenities catering to student populations.
- i. Any other relevant factor.

#### 631.63 **Married Student Housing**

Apartments and housing units for married students are often complete quarters consisting of a living room, kitchen or dinette, bedroom (s), and bath. Whether located on or off campus, and regardless of ownership, the apartment mail receptacle requirements in [631.54](#) apply.



**631.64 Fraternity and Sorority Buildings**

Deliver mail in bulk to a common mailbox or to a representative of the organization if addressed to a specific building.

**631.65 Parcels**

Deliver parcels in the same manner as other ordinary mail matter.

**631.66 Forwarding of Mail**

Forwarding mail for former students and for current students during the summer and vacation periods is the responsibility of the institution or building owner, except where delivery to respective apartment receptacles is being provided to married housing. Encourage school officials to include mail forwarding, proper mail addressing, and other related postal features in general instructions to students.

**631.67 Noncity Delivery Offices**

Where city delivery service is not established, students may obtain Post Office Box service, use general delivery, or the institution may arrange to pick up the mail in bulk and make its own distribution and delivery.

### 631.7 **Conversion of Mode of Delivery**

In this section, *conversion* refers to changing existing mail delivery to a more economical and efficient mode. The key to converting existing deliveries is identifying those deliveries that are most costly to the Postal Service.

Delivery managers can go into any delivery territory where delivery has been established for over 1 year and solicit to convert the mode of delivery if it would be cost beneficial to the Postal Service.

Postmasters may establish a mixed delivery area where in-growth or extensions of service within a block compel a change in modes of delivery for newly constructed or renovated delivery points. This policy applies to both residential and business delivery locations. When a residence is sold, the mode of delivery cannot be changed arbitrarily prior to the new resident moving in. The existing mode of delivery must be retained absent an agreement otherwise. If an owners' association or property management company represents the property or the community, it may request a change in the mode of delivery on behalf of the community or property. In rental areas, such as apartment complexes and mobile home parks, the owner or manager may request a conversion on behalf of the apartment complex, mobile home park, or other rental property. Approval is at the sole discretion of the Postal Service. Delivery will begin only after the approval of a mail receptacle and its location by the local Postmaster.

Where there is no homeowners' association or other property management company with authority to request a conversion on behalf of the owners, residents, or the community, customer signatures must be obtained prior to any conversion. In single-family housing areas (including manufactured housing and mobile homes) where the residences and lots are owned, each owner must agree to the conversion in writing. Owners who do not agree must be allowed to retain their current mode of delivery.

When a residence is sold, the mode of delivery cannot be changed arbitrarily prior to the new resident moving in. The existing mode of delivery must be retained absent an agreement otherwise. If an owners' association represents the community, it can direct the mode of delivery for the community. In rental areas, such as apartment complexes and mobile home parks, the owner or manager can approve a conversion.

### 631.8 **Correction of Improper Mode of Delivery**

#### 631.81 **General**

In the event an improper mode of delivery is established or extended by a postal carrier or manager, the service will be withdrawn with a thirty (30) day advance notice to the affected customer(s), provided that the error is detected and the customer is notified within one (1) year. If the error is not detected and the customer is not notified within one (1) year of the date delivery is established or extended, the improper service remains in place unless the customer consents to the delivery mode change or a delivery point with improper modes of delivery in a vacant delivery is first identified during the vacant period per section [623.5](#). When the new customer(s) in

these vacant deliveries are identified by Postal Service management and informed (within the first 30 days of occupancy) that the current mode of delivery was established incorrectly and will need to be corrected.

For purposes of clarity, note that the one (1) year time period described above is not intended to apply to section 631.62, which prescribes the delivery methods appropriate to dormitory buildings or residence halls. For such properties, an improper mode of delivery may thus be withdrawn at any time upon a thirty (30) day advance notice to the property owner or manager and affected customer(s).

#### 631.82 **Refusal by Customer**

If a customer refuses to accommodate the Postal Service's delivery mode determination by refusing to provide an approved mail receptacle or permit the Postal Service to install its own, General Delivery service may be provided at the nearest postal facility where the carrier delivery emanates or where may be otherwise available to the customer.

#### 631.9 **Military Installations**

##### 631.91 **Family Housing**

Delivery to family housing on military installations is effected in accordance with [611](#), [64](#), [65](#), or [66](#), whichever is appropriate.

##### 631.92 **Other Services -Agreement With the Military**

Other services are provided to military installations in accordance with Publication 38, *Postal Agreement with the Department of Defense*, signed on February 21, 1980, reprinted in pertinent part:

#### III. POLICY

- A. The Military Postal Service is operated as an extension of the United States Postal Service® as authorized by 39 U.S.C. 406.
- B. The Department of Defense and the Postal Service agree to attempt to furnish mail service to the military equal to that provided the civilian population in the United States.
- C. The Department of Defense and the Postal Service affirm the importance of the national goal of energy conservation, and both parties resolve to minimize energy expenditure while conducting military postal operations.

#### IV. RESPONSIBILITIES

- A. The Department of Defense agrees to:
  - 1. Maintain and operate military Post Offices in support of Armed Forces operations and personnel at locations outside the United States, or inside the United States where the military situation requires;
  - 2. Ensure that each military Post Office that provides postal financial or accountable mail services or exchanges incoming and outgoing mail directly with carriers is supervised by at least one qualified, on-site military member of the Armed Forces;

3. Administer the military postal service in accordance with the law, with policies and regulations of the Postal Service, and with consistent implementing directives of the Department of Defense;
  4. Arrange with foreign governments to permit military Post Offices to be established and military postal operations to be conducted in foreign countries;
  5. Furnish information required by the Postal Service to provide efficient postal services to authorized personnel and units;
  6. Establish and operate mail control activities at principal locations used by the Postal Service to receive and dispatch military mail and to provide information to distribute and dispatch military mail and to provide information for overseas and maneuver forces, ships, and other mobile units;
  7. In time of war or national emergency, assist or supplement Postal Service operation of bulk mail centers, postal concentration centers, and airport mail facilities;
  8. Establish and operate mail control activities at military aerial ports to receive outgoing military mail from the Postal Service for dispatch via military air transport and to receive incoming military mail via military air transport for entry into civilian postal channels;
  9. Conduct postal finance services at military Post Offices, to include selling stamps and stamped paper; issuing domestic money orders; cashing money orders, when feasible; and providing Certified Mail, Insured Mail, and Registered Mail services. Remittances to the Postal Service shall be in dollars in the amounts required by the schedule of rates, fees, and charges provided by postal regulations;
  10. Make periodic audits and inspections of military Post Offices.
- B. The United States Postal Service agrees to:
1. Provide postal services for the Armed Forces at locations inside the United States, including the establishment of civilian Post Offices on military installations and the usual postal finance, mail handling, and carrier delivery and collection consistent with United States postal laws and regulations, normal standards of the Postal Service, and changing military requirements;
  2. Establish and operate postal concentration centers, as needed, for the concentration, sorting, and delivery or dispatch of military mail in accordance with requirements of the Department of Defense;
  3. Process military mail in an expeditious manner while efficiently separating mail for the Armed Forces prior to delivery or dispatch;

4. Furnish information to the Department of Defense to permit proper routing of military mail prior to its entry into civilian postal channels;
5. Authorize the establishment of military Post Offices as branches of designated civilian Post Offices;
6. Extend stamp credits from designated civilian Post Offices to postal finance offices and other custodians of postal effects;
7. Assist the Department of Defense by informing postmasters and the public of proper addressing practices, applicable restrictions, and other military mail matters of interest.

V. ADMINISTRATION

- A. The Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics) shall serve as the point of contact with the United States Postal Service and shall implement and administer this agreement for the Department of Defense. The Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics) may enter into supplemental agreements with the United States Postal Service as may be necessary to carry out the purposes of this agreement.
- B. The Senior Assistant Postmaster General, Operations Group, shall serve as point of contact with the Department of Defense and shall implement and administer this agreement for the United States Postal Service. The Senior Assistant Postmaster General, Operations Group, may enter into supplemental agreements with the Department of Defense as may be necessary to carry out the purposes of this agreement.

VI. REVIEW AND AMENDMENT

- A. This agreement may be amended at any time by mutual agreement. It shall be renewed every five years by the Department of Defense and the Postal Service.

SUPPLEMENTAL POSTAL AGREEMENT: ADMINISTRATIVE DETAILS

I. TRANSPORTATION

- A. The Department of Defense agrees to arrange for military mail transportation from overseas postal facilities to commercial or military terminals in the United States and between military postal activities within overseas areas.
- B. The Postal Service agrees to:
  1. Arrange for military mail transportation to overseas postal facilities from commercial terminals in the United States and make transportation arrangements when the postal services of another country are required. However, this does not preclude military departments from making direct arrangements for the transportation of military mail to or between designated overseas points on a short-term basis when operational requirements dictate.

2. Provide inbound and outbound mail transportation between the postal concentration centers and military or commercial air or surface carriers.
3. Transport mail between civilian Post Offices on military installations and the receiving or dispatching Postal Service facility.

## II. PERSONNEL

### A. The Department of Defense agrees to:

1. Appoint mail clerks and issue them uniform identification cards.
2. Assign only qualified personnel to duties in military Post Offices, mailrooms, mail control activities, and other postal facilities. No persons convicted of a crime involving theft or moral turpitude or disciplined for any action reflecting unfavorably upon their integrity shall be assigned to postal duties. Those having a history of psychiatric disorder, alcoholism, or drug abuse may be so assigned if medical evidence of current good health, sufficient to meet published Postal Service standards, is available. This does not preclude the Department of Defense from establishing requirements that are more stringent than the published Postal Service standards.

## III. EQUIPMENT

### A. The Postal Service agrees to:

1. Provide equipment and furniture necessary for the operation of civilian Post Offices located on military installations.
2. Furnish equipment and supplies for use in military Post Offices. Equipment shall be new or serviceable and shall be issued in accordance with mutually determined issuance standards. Supplies and accountable equipment shall be furnished without charge. Nonaccountable equipment shall be furnished on a reimbursable basis beginning in FY 82.
3. Repair equipment for which it has a unique capability.

### B. The Department of Defense agrees to transport such equipment between the continental United States and the overseas destination.

## IV. DELIVERY

### A. The Department of Defense agrees to:

1. Decline to accept collect on delivery mail for delivery at military Post Offices.
2. Deliver mail to personnel in a temporary duty status, in training, and where delivery requirements exceed Postal Service standards.
3. Deliver accountable mail, delivery of which is restricted by the sender, through mail clerks, only upon the written authorization of the addressee when it is impracticable for

the addressee to accept delivery in person at the civilian Post Office.

B. The Postal Service agrees to:

1. Neither accept nor forward to military Post Offices any collect on delivery mail.
2. Provide delivery service on military installation in the United States commensurate with the delivery service that would be provided for civilian communities of comparable characteristics. Postal Service criteria shall be used in considering extensions of mail service. Mail to principal administrative buildings or commands shall be delivered in bulk. The Postal Service agrees to also provide the mail in bulk to personnel and basic units in a transient or temporary duty status of 180 days or less. Where criteria will not allow free delivery service to be established or extended, the Postal Service agrees to provide the mail for individuals in bulk to basic units. However, in locations with adjacent civilian communities having delivery service, the Postal Service agrees to submit proposals to the Department of Defense to furnish service to groups of receptacles consistent with mutually agreed criteria and funding.
3. Deliver accountable mail addressed to military personnel, at military installations served by civilian Post Offices, to the addressees or mail clerks upon proper receipt.

V. CLAIMS

A. The Department of Defense agrees to:

1. Assume financial liability, under military claims procedures, for loss, damage, theft, wrong delivery, or rifling of accountable mail after receipt from or prior to delivery to a civilian or military Post Office by a mail clerk employed by the Department of Defense.
2. Reimburse the Postal Service for claims submitted by the Postal Service for the value of postal effects embezzled or lost through negligence, errors, or defalcations while in the possession of military Post Office personnel. Reimburse the Postal Service for claims paid by the Postal Service for losses of accountable mail through negligence, errors, or defalcations while in the possession of military Post Office personnel.
  - a. To be reimbursable, claims must be submitted within one year from discovery of the loss by the Postal Service.
  - b. In all just and expedient cases, the military departments may request the Postal Service to take action under 39 U.S.C. 2601(a)(3) to adjust, pay or credit the account of a Military Post Office, Postal Finance Officer, Military Postal Clerk, Financial Postal

Clerk, Custodian of Postal Effects, or persons acting in those capacities for any loss of Postal Service funds, papers, postage, or other stamped stock or accountable paper, under the same standards as such credit is granted to Postal Service employees.

- B. The Postal Service agrees to relieve custodians of postal effects of responsibility for the amount of the invoice of any shipment of stamps or stamped paper lost in transit as a result of casualty.

#### VI. LOGISTICAL AND ADMINISTRATIVE SUPPORT

##### A. The Department of Defense agrees to:

1. Furnish adequate facilities for civilian Post Offices located at military installations solely in support of the installation's mission. Utilities and local telephone service shall be furnished on a reimbursable basis beginning FY 82.
2. Offer billeting and meals to civilian Post Office employees who work at military installations on the same basis as those offered to Department of Defense civilian employees.
3. Issue invitational travel orders for Postal Service representatives who, at the request of the Department of Defense, are assigned to perform inspections, investigations, or audits of overseas military postal operations.

##### B. The Postal Service agrees to:

1. Reserve the right to discontinue civilian Post Offices on military installations where existing conditions endanger the health, safety, or welfare of its employees.
2. Furnish office space for related military mail terminals, fleet Post Offices, or liaison units at postal concentration centers.

#### VII. AUDITS AND INSPECTIONS

##### A. The Department of Defense agrees to:

1. Assist Postal Service representatives in surveying, inspecting, and auditing military postal operations.
2. Conduct surveys, inspections, investigations, and audits of Department of Defense postal facilities and operation as needed to verify that accountable postal effects are on hand and properly protected, that all revenue due the Postal Service is being collected and properly accounted for, and that the service rendered is efficient and in accordance with Postal Service and Department of Defense regulations.

- B. The Postal Service agrees to assign Postal Inspectors or other representatives of the Postal Service, as practicable, to conduct surveys, inspections, investigations, and audits of military postal operations to assure that efficient postal service is maintained.

#### VIII. MAIL SORTATION



- A. Except in time of war or other emergency as determined by the Secretary of Defense, the Postal Service agrees to:
  - 1. Sort mail for overseas forces in fixed base units to the 5-digit Army Post Office/Fleet Post Office ZIP Code separation. Mail for ships and other mobile units shall be sorted to the mobile unit by ZIP Code or name when warranted. Mail for maneuver forces, air groups, submarine groups, units in transit or temporary duty status for 180 days or less, and other similar units shall be separated in accordance with the needs of the Department of Defense. The Department of Defense agrees to develop mail routings for all of the above mail and provide the routing instructions to the postal concentration centers of the Postal Service.
  - 2. Sort mail for the forces at installations in the United States where delivery receptacles are not provided to basic military units or numbered boxes in groups of approximately 200, so far as practicable and mutually agreeable to the Postmaster and military authorities concerned.
- B. In time of war or other emergency as determined by the Secretary of Defense, the Postal Service agrees to:
  - 1. Allow the Department of Defense to control ZIP Code assignment to all military units.
  - 2. Specify jointly with the Department of Defense the sorting of mail for overseas forces and forces at installations in the United States.
- C. Postal Service criteria shall be used to assign ZIP Codes to military installations in the United States.
- D. The Department of Defense and the Postal Service agree to cooperate in the assignment and use of overseas ZIP Codes.
  - 1. Normally each military installation shall have one 5-digit ZIP Code, although special circumstances may be considered in assigning additional ZIP Codes. Additional ZIP Codes shall only be assigned if all resulting separations receive at least 1,000 pieces of mail per day. The implementing procedures for 9-digit ZIP Codes shall be jointly developed.
  - 2. The Department of Defense agrees to make every reasonable effort to see that its components have the correct ZIP Code in their address and return address. The Postal Service agrees to make every reasonable effort to see that the correct ZIP Code is in the address and return address of mail for military units and personnel originated by other government agencies and the civilian sector. Since the ZIP Code furnishes the Postal Service with its sole method of forwarding Army Post Office and Fleet Post Office mail, the Postal Service agrees to return to sender at the Post Office of origin all mail for Army Post Office or

Fleet Post Office addresses that does not have an authorized Army Post Office/Fleet Post Office ZIP Code.

IX. MAIL FORWARDING

- A. Where the Department of Defense delivers the mail it agrees to provide directory service for undeliverable-as-addressed military mail and endorse each piece to show a forwarding address or reason for nondelivery.
- B. Where the Postal Service delivers the mail it agrees to maintain change of address forms and endorse forwardable mail that is undeliverable as addressed.

X. SAM/PAL LAW

- A. This paragraph provides for the joint development of regulations as required by 39 U.S.C. 3401 (f)(1976) by the Postal Service and the Department of Defense concerning administration of the "SAM/PAL Law." Each party agrees to designate one or more organizational counterparts to serve on a committee to discuss conditions and regulations under which the SAM/PAL law will be jointly administered.
  - 1. For the Postal Service, the designees are: The Assistant Postmasters General, Mail Processing Department, and Rates and Classification Department, or their designees; and the Chief Postal Inspector or his designee.
  - 2. For the Department of Defense, the designee is: The Deputy Assistant Secretary of Defense (Supply, Maintenance and Transportation) or his designee.
- B. Neither party shall take any unilateral action with respect to implementing policies, conditions, or regulations promulgated exclusively under the SAM/PAL law without prior consultation with the other party. Committee meetings may be held upon written request of either party. Following such consultation, a joint committee report may be prepared for transmission to the respective managements.
- C. Nothing herein is intended to provide for the joint administration of any activity whose administration is not provided for by 39 U.S.C. 3401 (f)(1976).
- D. This section supersedes the supplementary agreement dated September 30, 1976, concerning "Joint Administration of 39 U.S.C. 3401 (the SAM/PAL Law) by the United States Postal Service and the Department of Defense."

631.93 **Reference**

See Publication 38-A, *Guidelines for Providing Postal Services on Military Installations*, for details on providing delivery, collection, and retail services.

## 632 Mail Receptacles

### 632.1 Customer Obligation

#### 632.11 Responsibilities

Appropriate mail receptacles must be provided for the receipt of mail. The type of mail receptacle depends on the mode of delivery in place. Purchase, installation, and maintenance of mail receptacles are the responsibility of the customer. Appropriate locations for installation should be verified with local Postmasters. Customer obligations are as follows:

- a. In locations where door delivery has been authorized, customers must provide either house-mounted boxes that provide adequate protection and security for the mail and that are approved by the local Postmaster, or they must provide door slots (see [632.3](#)).
- b. If curblane delivery is authorized, customers must erect curb-mounted receptacles that comply with USPS-STD-7c (see [632.5](#)).
- c. If sidewalk delivery is authorized, customers must erect sidewalk-mounted receptacles that comply with USPS-STD-7c (see [632.5](#)).
- d. If centralized delivery is authorized, customers must install mail receptacles that comply with USPS STD 4C Wallmounted Mail Receptacles or USPSB1118, Postal Service specification, Cluster Box Units (see [632.6](#)).

**Note:** There is no local authority for the use of or approval of unauthorized centralized delivery equipment or centralized delivery systems. Contact Engineering or Delivery Post Office Operations at Headquarters for any necessary assistance.

#### 632.12 Exception

The Postal Service may elect, under certain conditions, to purchase, install, and maintain curb-mounted mail receptacles or cluster box units.

#### 632.13 Receptacles Not Required

Business complexes are not required to provide mail receptacles where door delivery was approved and authorized by the Postal Service and businesses are open to receive mail. If the offices are not open when the carrier arrives on normal service days, centralized mail receptacles must be provided.

#### 632.14 Approach to Mailbox

The customer is responsible for keeping the approach to his or her mailbox clear to facilitate delivery. Where the approach to the mail receptacle located at the curb is temporarily blocked by a parked vehicle during normal delivery hours for the area, or snow or ice hampers the approach to the mailbox, the carrier normally dismounts to make delivery. If the carrier continually experiences a problem in serving curblane boxes and where the customer is able to control on-street parking in front of his or her mailbox but does not take prompt corrective action after being properly notified, the postmaster may, with the approval of the district manager, withdraw delivery service.

**632.2 Keys to Customer's Private Mail Receptacle****632.21 General**

Carriers are prohibited from accepting keys for locks on private mail receptacles, buildings, or offices, except where an electromechanical door lock system or a key keeper box located within convenient reach of the door is used. Both devices must incorporate an Arrow lock to access the key or device needed to gain entry to the building. If customers place locks on their receptacles, the receptacles must have slots large enough to accommodate their normal daily mail volume so that delivery may be made by the carrier without using a key.

**632.22 Locks and Keys**

The Postal Service is responsible for providing every customer a compartment lock and three keys to his or her postal-owned Cluster Box Unit (CBU). No key deposits are required; advise customers that they may duplicate their keys at no expense to the Postal Service. Postal managers must take the following actions in issuing and controlling locks and keys for postal-owned CBUs:

- a. Give all compartment keys to customers with a notice stating that the Postal Service keeps no duplicate keys and if they lose all the keys, the Postal Service will have to install a new lock at the customer's expense.
- b. If customers lose their keys, arrange for the repairs and charge the customer accordingly.
- c. Request that customers return all compartment keys to the Post Office when they move from their residence. When a customer moves, the Post Office should change the lock before reissuing the compartment. The new customer is not charged for the first lock and keys even though the Postal Service replaced it.
- d. When new centralized delivery equipment is installed, the keys may either be taped to the inside of the receptacle until the compartment is issued, or stored at the Post Office. A suggested method of storage is to use P-570 envelopes labeled with address, compartment number, CBU location, and CBU identifying number.

**Note:** The builder or property owner is responsible for providing lock and key service for privately owned CBUs.

**632.3 Door Slot Specifications**

The clear rectangular opening in the outside slot plate must be at least 1-1/2 inches wide and 7 inches long. The slot must have a flap, hinged at the top if placed horizontally or hinged on the side away from the hinge side of the door if placed vertically. When an inside hood is used to provide greater privacy, the hooded part must not be below the bottom line of the slot in the outside plate if placed horizontally or beyond the side line of the slot in the outside plate nearest the hinge edge of the door if placed vertically. The hood at its greatest projection must not be less than 2-1/16 inches beyond the

inside face of the door. Door slots must be placed no less than 30 inches above the finished floor line.

#### 632.4 **Receptacles Purchased by Postal Service**

Cluster Box Units (CBUs) and Outdoor Parcel Lockers (OPLs) may be purchased by the Postal Service from approved manufacturers. Specifications for construction of CBUs are covered in USPS-B-1118, *Postal Service Specification, Cluster Box Units*. Specifications for construction of OPLs are covered in USPS-B-1116, *Postal Service Specification, Outdoor Parcel Lockers*. Individuals or firms interested in the manufacture of these units should write to:

ENGINEERING  
IP DELIVERY & RETAIL SYSTEMS  
US POSTAL SERVICE  
8403 LEE HWY  
MERRIFIELD VA 22082-8150

#### 632.5 **Curbside Mailboxes**

##### 632.51 **Specifications for Manufacturers**

##### 632.511 **Policy**

Manufacturers of all mailboxes designed and manufactured to be erected at the edge of a roadway or curbside of a street and to be served by a carrier from a vehicle on any city, rural, or highway contract route must obtain approval of their products according to USPS-STD-7, *Postal Service Mailboxes, Curbside*. A copy of USPS-STD-7 and a current listing of approved manufacturers and mailbox models may be obtained by writing to:

ENGINEERING  
IP DELIVERY & RETAIL SYSTEMS  
US POSTAL SERVICE  
8403 LEE HWY  
MERRIFIELD VA 22082-8150

##### 632.512 **Approved Manufacturers and Models**

A current listing of approved manufacturers and models can be obtained from the office listed in section [632.511](#).

##### 632.52 **Installation and Use**

##### 632.521 **Custom-built Curbside Mailboxes**

Postmasters are authorized to approve curbside mailboxes constructed by individuals who, for aesthetic or other reasons, do not want to use an approved manufactured box. The custom-built box must conform generally to the same requirements specified in USPS-STD-7. Approval of such custom-built boxes will be done on a case-by-case basis. Such approval may be granted only for individual personal use, not for boxes produced as a commercial enterprise.

##### 632.522 **Identification**

When box numbers are used on curbside mailboxes, the numbers must be inscribed in contrasting color in neat letters and numerals not less than 1 inch high on the side of the box visible to the carrier's regular approach, or on the door if boxes are grouped. Where street names and house numbers

are assigned by local authorities and the postmaster has authorized use of a street name and house number as a postal address, the house number must be shown on the box. If the box is on a different street from the customer's residence, the street name and house number must be inscribed on the box. Placement of the owner's name on the box is optional. Advertising on boxes or supports is prohibited.

632.523 **Posts and Supports**

The Postal Service does not regulate mailbox supports in any way except for purposes of carrier safety and delivery efficiency. Posts and other supports for curbside mailboxes are owned and controlled by customers, who are responsible for ensuring that posts are neat and adequate in strength and size. Heavy metal posts, concrete posts, and miscellaneous items of farm equipment, such as milk cans filled with concrete, are examples of potentially dangerous supports. The ideal support is an assembly that bends or falls away when struck by a vehicle. Post or support designs may not represent effigies or caricatures that disparage or ridicule any person. Customers may attach the box to a fixed or movable arm.

The Federal Highway Administration (FHWA) has determined that mailbox supports no larger than 4 inches by 4 inches, or a 2-inch diameter standard steel or aluminum pipe, buried no more than 24 inches, should safely break away if struck by a vehicle. According to FHWA, the mailbox must also be securely attached to its post to prevent separation if struck.

632.524 **Location**

Curbside mailboxes must be placed so that they may be safely and conveniently served by carriers without leaving their conveyances. They must be reasonably and safely accessed by customers. Boxes must also be on the right-hand side of the road and in the carrier's direction of travel in all cases where driving on the left-hand side of the road to reach the boxes would pose a traffic hazard or violate traffic laws and regulations. On new rural or highway contract routes, all boxes must be on the right side of the road in the carrier's direction of travel. Boxes must be placed to conform to state laws and highway regulations. Carriers are subject to the same traffic laws and regulations as are other motorists. Customers must remove obstructions, including vehicles, trash cans, and snow, that make delivery difficult. Generally, mailboxes are installed at a height of 41 to 45 inches from the road surface to the bottom of the mailbox or point of mail entry. Mailboxes are set back 6 to 8 inches from the front face of the curb or road edge to the mailbox door. Because of varying road and curb conditions and other factors, the Postal Service recommends that customers contact the postmaster or carrier before erecting or replacing their mailboxes and supports.

632.525 **Grouping**

Boxes should be grouped wherever possible, especially at or near crossroads, service turnouts, or other places where a considerable number of boxes are presently located.

632.526 **More Than One Family**

If more than one family wishes to share a mail receptacle, the following standards apply:

- a. *Route and Box Number Addressing.* On rural and highway contract routes authorized to use a route and box numbering system (e.g., RR 1 BOX 155), up to five families may share a single mail receptacle and use a common route and box designation. A written notice of agreement, signed by the heads of the families or the individuals who want to join in the use of such box, must be filed with the postmaster at the distributing office.
- b. *Conversion to Street Name and Number Addressing.* When street name and numbering systems are adopted, those addresses reflect distinct customer locations and sequences. Rural and highway contract route customers who are assigned different primary addresses (e.g., 123 APPLE WAY vs. 136 APPLE WAY) should erect individual mail receptacles in locations recommended by their postmasters and begin using their new addresses. Customers having *different primary addresses* but wishing to continue sharing a common receptacle must use the address of the receptacle's owner and the "care of" address format:

JOHN DOE  
C/O ROBERT SMITH  
123 APPLE WAY

Customers having a common primary address (e.g., 800 MAIN ST) but different secondary addresses (e.g., APT 101, APT 102, etc.) may continue to share a common receptacle if single-point delivery is authorized for the primary address. Secondary addresses should still be included in all correspondence.

632.527 **Locks**

The use of locks, locking devices, or inserts on curbside mailboxes on rural and highway contract routes is prohibited. See the list of curbside mailbox manufacturers for approved locking style mailboxes (a current listing of approved manufacturers and models can be obtained from the office listed in section [632.511](#)). The Postal Service does not allow carriers to open locked boxes and does not accept keys for this purpose.

632.528 **Unstamped Newspapers**

Curbside mailboxes are to be used for mail only, except for newspapers regularly mailed at Periodicals rates. Publishers of these newspapers may, on Sundays and national holidays only, place copies of the Sunday or holiday issues in the rural and highway contract route boxes of subscribers, with the understanding that these copies must be removed from the boxes before the next day on which mail deliveries are scheduled.

632.529 **Newspaper Receptacles**

A receptacle for the delivery of newspapers may be attached to the post of a curbside mailbox provided that no part of the receptacle interferes with the delivery of mail, obstructs the view of the flag, or presents a hazard to the carrier or the carrier's vehicle. The receptacle must not extend beyond the front of the box when the box door is closed. No advertising may be displayed on the outside of the receptacle, except the name of the publication.

**632.53 Nonconforming Mailboxes**

Carriers must report to the postmaster any existing mailboxes that no longer conform to postal regulations. The postmaster sends PS Form 4056, *Your Mailbox Needs Attention*, to the owners of these boxes to request that they remedy the irregularities or defects. All newly installed or replacement mailboxes must be approved models in accordance with USPS-STD-7. A current listing of approved manufacturers and models can be obtained from the office listed in section [632.511](#).

**632.54 State and Local Regulations**

Some states have enacted laws that are more stringent and specific about the type of mailbox that may be used, the post or support that must be used to mount the mailbox, and the location of the delivery equipment. Regulations and recommendations published here might not reflect appropriate requirements for your area. When providing guidance to the general public concerning mailbox placement and replacement, advise them not only of postal regulations but also of any mailbox regulations that you know have been enacted by state or local authorities.

**632.6 Apartment House Receptacles****632.61 General**

Specifications for construction and approval procedures for manufacturers are covered in USPS STD 4C (RDD), Wallmounted Mail Receptacles. Individuals or firms interested in the manufacture of apartment house mailboxes should write to:

ENGINEERING  
IP DELIVERY & RETAIL SYSTEMS  
US POSTAL SERVICE  
8403 LEE HWY  
MERRIFIELD VA 22082-8101

**632.62 Installation****632.621 General**

Owners and managers of apartment houses, or other multi-unit dwellings with obsolete apartment house mail receptacles should install up-to-date receptacles currently approved by the Postal Service to ensure safety of access and security of the mail. When such buildings are substantially renovated or remodeled, or when box locations change, obsolete receptacles should be replaced with currently approved receptacles.

**632.622 Location and Arrangement**

Regulations for the location and arrangement of receptacles are subject to Postal Service approval as follows:

- a. All new or remodeled apartment houses can only install USPS-approved 4C equipment. When installing this equipment, a requirement is to have at least one parcel locker for every five customer mail compartments. For those buildings with a minimum of five mail compartments, there must be at least one parcel locker installed.
- b. Receptacles and parcel lockers in apartment houses should be located reasonably close to the entrance in vestibules, halls, or lobbies. The



carriers must be able to serve the boxes without interference from swinging or open doors. The area must be adequately lighted to afford the best protection to the mail and to let carriers read addresses on mail and names on boxes without difficulty.

- c. Installation of standard, approved apartment receptacles in exterior walls of buildings may be authorized, provided that they are not installed directly on the street or a public sidewalk. Wherever possible, keep at least 15 feet between the boxes and the street or sidewalk; the location should be clearly visible from one or more apartment windows. A canopy must be provided, and it must be designed and located to afford maximum protection from the weather, including driving rains. In addition, adequate night lighting must be installed.

**632.623 Access to Rear-Loading of Horizontal-Type Receptacles**

Carrier access to the rear area of mailrooms containing rear-loading mailbox panel(s) shall be provided via a secure access door fitted with an ANSI 156.13 F15 lock. A security door, frame, and the F15 lock shall be selected and installed in accordance with all the requirements for residential mailrooms as specified in Handbook RE-5, *Building and Site Security Requirements*, Chapter 3, and in Central Delivery Guidelines, Section 10. A key to the door lock must be available to the carrier via a key keeper manufactured and installed in accordance with United States Postal Service Specification for Key Keepers, USPS-B-3180. The rear of the mailbox panel(s) must have a door or cover in accordance with USPS STD 4C to prevent the removal of mail from adjacent boxes and to prevent mail from coming out through the back. The cover or door must be easily opened and closed or else removed and replaced.

**632.624 Installation With Telephone Units**

The guidelines for installing receptacles with telephone units are as follows:

- a. When it is necessary or desirable to install mail receptacles with a standard-size telephone unit, vertical-type receptacles may be placed in two tiers. They may also be installed in groups of fewer than seven if necessary to properly arrange the groups in two tiers. This does not apply if the telephone unit is installed independently of the mail receptacles. Although there is no objection to combining these two services, the mail receptacles must be separated from the telephone or electrical unit. Electric push buttons, connected to wires outside the mail receptacles, may be placed in the frame of the installation if the push buttons can be removed from the outside and if the wire connections can be repaired without removing the receptacles.
- b. Telephone units combined with mail receptacle units must allow access to the telephone unit without having to enter the mail receptacle; the mail receptacle must not be accessible when the telephone unit is opened.

**632.625 Key and Record Controls**

The following key and record controls apply to apartment houses:

- a. Apartment house managers must maintain a record of the number of keys supplied by manufacturers so that new keys may be ordered when necessary. The record should match the key number to the

receptacle number. Do not place key numbers on the outside barrels of the locks because this would allow unauthorized persons access to keys and boxes. Clearly number each individual receptacle lock on the back; replace lost keys as needed according to lock numbers. Master-keying is not permitted.

- b. Apartment house managers must also maintain a record of key numbers and combinations of keyless locks so that new tenants may be given the combination. These records must be kept in the custody of the manager or a trusted employee. The record of key numbers must be kept until the lock is changed, when the old record may be destroyed and a replacement record created.
- c. Combination locks are not approved under current Postal Service receptacles standards.

#### 632.626 **Directories**

Guidelines for Postal Service apartment house directories are as follows:

- a. For all apartment houses with 15 or more receptacles, maintain a complete directory of all persons receiving mail. If an apartment house is divided into units, each with separate entrances and 15 or more receptacles, each unit should have a separate directory. In addition, if mail is not generally addressed to specific units, a directory must be kept at the main unit of the building listing all persons receiving mail in the various units.
- b. Directories must be alphabetical by surname and must be maintained and kept up-to-date. The receptacle number and apartment number should always be the same, and the apartment number should appear to the right of the name in the directory. If the apartment number is different from the receptacle number, the receptacle number should appear to the left of the name in the directory. Follow the same arrangement for apartments that are either lettered or lettered and numbered.
- c. The directory must be legible, enclosed in a suitable protective frame, and attached to the wall immediately above or to the side of the mail receptacles where it can easily be read. If mailrooms are used, the directory should be placed for the carrier's convenience. If an attendant, such as a telephone operator, doorman, or elevator conductor, is on duty between the hours of 7:00 a.m. and 11:00 p.m., and the mail is delivered either to apartment house receptacles or in bulk for distribution by employees of the building, the employee on duty in the building may keep the directory to make it available to the carrier on request.

#### 632.627 **Maintenance and Repair**

The guidelines for receptacle maintenance and repair are as follows:

- a. Owners or managers of buildings must keep receptacles in good repair. When an inside-letterbox Arrow lock is no longer needed, the building management must immediately notify the postmaster, who will then send a postal employee to supervise removal of the lock from the master door and return it to the Post Office.
- b. Carriers will report on PS Form 3521, *House Numbers and Mail Receptacles Report*, all apartment houses that are being remodeled

and all unlocked or out-of-order mailboxes. Delivering employees and postmasters must ensure that all inside-letterbox Arrow locks are recovered when buildings are torn down or remodeled.

- c. When informed of equipment needing repair or irregularity in the operation of apartment house mail receptacles, postmasters will promptly initiate an investigation and direct what repairs must be made at the expense of the owners or managers. To avoid any questions about disposition or treatment of mail, repairs must be made only when a postal representative is present. It is unlawful for anyone other than postal employees to open receptacles and expose mail.
- d. Failure to keep boxes locked or in proper repair as directed by postmasters is sufficient justification for withholding mail delivery and requiring occupants to call for their mail at the Post Office or carrier delivery unit serving the location. A reasonable notice of approximately 30 days will be given in writing to the customers and the owner or manager of the apartment building.
- e. If mail deposited by a carrier in an apartment house mail receptacle is reported lost or stolen, or if there is an indication that the mail has been willfully or maliciously damaged, defaced, or destroyed, the postmaster must immediately report the circumstances to the Postal Inspection Service.
- f. The U.S. Code prescribes criminal penalties for the wrongful possession of mail locks and the willful or malicious injury or destruction of letterboxes and the theft of mail therefrom.

#### 632.628 **Approved Manufacturers and Models**

A current listing of approved manufacturers and models can be obtained from the office listed in section [632.511](#).

#### 632.63 **New or Remodeled Apartment Buildings**

When new apartments are being erected or existing ones remodeled, postmasters will inform builders and owners of these regulations' requirements and will provide a suitable inspection to ensure that only approved receptacles are installed in conformance with regulations.

### 633 **Mail Keys**

#### 633.1 **Types**

The following types of mail keys are available:

- a. LA keys.
- b. Rotary lock keys.
- c. Arrow lock keys used on street letter or collection boxes and apartment houses mail panels, and new neighborhood delivery and collection box units (NDCBUs).
- d. Serial padlock keys.
- e. Motor vehicle keys and motor vehicle padlock keys.
- f. Highway contract route keys, SR padlock.

## 633.2 **Personnel to Whom Keys Are Issued**

### 633.21 **LA Keys**

LA keys are issued to all Post Offices, stations, branches, airport mail facilities, authorized postal employees, and military Post Offices.

### 633.22 **Rotary Lock Keys**

Rotary lock keys are issued to the following:

- a. CAG A-J Post Offices, airport mail facilities, and military Post Offices.
- b. Other Post Offices and installations as authorized by their district manager.

### 633.23 **Other Keys**

Other types of keys are issued to authorized postal employees.

## 633.3 **Obtaining Keys**

### 633.31 **General**

Postal locks and keys are available from:

MAIL EQUIPMENT SHOPS  
US POSTAL SERVICE  
2135 5TH ST NE  
WASHINGTON DC 20260-6224

Mail Equipment Shops (MES) manufactures most of the locks and keys used by the Postal Service. PS Form 4983, *Postal Key and Lock Requisition*, will be used to order Post Office box locks and keys.

### 633.32 **LA and Rotary Lock Keys**

Keys for newly established Post Offices will be furnished by the Mail Equipment Shops upon receipt of PS Form 4983, except that rotary lock keys for CAG K and L Post Offices must be requested by the district managers or their designees. Request additional and replacement keys on PS Form 4983 from:

MAIL EQUIPMENT SHOPS  
US POSTAL SERVICE  
2135 5TH ST NE  
WASHINGTON DC 20260-6224

## 633.4 **Safekeeping Keys**

### 633.41 **In Installations**

#### 633.411 **LA Keys**

Attach LA keys in use to fixtures by a chain.

#### 633.412 **Rotary Lock Keys**

Attach rotary lock keys in use to a safe by a chain, except when it is more practicable to attach to other fixtures for ready access.

### 633.42 **Arrow Lock Keys**

Employees must turn in Arrow lock keys daily on completion of duty. Carriers must keep Arrow lock keys attached to their clothing by a chain at all times while on duty. If a clearance employee is not available, Arrow lock keys (and any other postal keys in temporary use, such as for vehicles) should be deposited in a secure location, for instance, a designated storage box.

**633.5 Record of Keys****633.51 Where to Record**

Keep a record of the date of receipt, number of the key, and the combination, if any, at CAG A-G Post Offices on PS Form 1628, *Individual Key Record*. Other Post Offices must maintain a record of mail keys in the space provided on the inside back covers of their cash books.

**633.52 Keys Assigned to Carriers**

Have each carrier receipt mail keys issued to them. To eliminate the need for the carrier to repeatedly sign the key record book or PS Form 1628, use one of the following plans:

- a. Make up sets of keys for each route and enter the number of each key in the key record book. Opposite the key number, place the number of the route to which the key is assigned. Issue metal or fiber key checks, each bearing a different number, to both regular and substitute carriers and obtain a receipt from the carriers. When a carrier calls for a set of keys assigned to the route the carrier is serving, have him or her surrender his or her key check. Place the check on separation in the key case. Return the check to the carrier when he or she returns the key.
- b. Make up sets of keys for each route and attach a tag bearing a serial number to each set. Enter this number, in addition to the route number, in the key record. This number will identify the set of keys and may be entered on the receipt to be signed by a substitute carrier for any set the carrier draws. The sets of keys may be issued to regular carriers upon surrender of key checks issued to them.

**633.53 Keys Assigned to Other Employees**

Keys assigned to other employees for collection purposes must be accounted for as prescribed above.

**633.6 Keys Lost, Stolen, Missing, or Found**

Report the recovery or finding of keys in the same manner as described in ASM 273, except that a duplicate copy of the memorandum shall be sent direct to the Mail Equipment Shops with the key. Retain serviceable LA keys for local use if needed.

**633.7 Keys From Discontinued Offices**

Handle keys from discontinued offices under instructions received from the district manager.

**633.8 Unserviceable Keys**

Forward unserviceable mail keys by Registered Mail to:

MAIL EQUIPMENT SHOPS  
US POSTAL SERVICE  
2135 5TH ST NE  
WASHINGTON DC 20260-6224

A letter of transmittal or a list of the keys by number is not necessary, but the package of keys must be properly identified. Do not send any other item or requisition in the same package with unserviceable keys.

**633.9 Receipt and Control**

Receipt and control all mail keys and locks according to the instructions in ASM 273.

## 64 City Delivery Service

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**641 Establishment of City Delivery Service**

See [63](#) for authorized modes of delivery.

**641.1 Definition**

In this section, *establishment* refers to the initiation of city delivery service in a community through a Post Office that does not currently provide it.

**641.2 Requirements**

In establishing city delivery service, a combination of delivery methods is considered to provide regular and effective service to all residential and business sections of a community. All establishments of delivery service must have final approval of the district manager, Customer Service and Sales, or designee. Establishment of city delivery service is considered when the following essential requirements are met:

- a. Within the area to be served there is a population of 2,500 or more or 750 possible deliveries. (The postal customer population may vary greatly from the general census population because of different boundary interpretations and designations.)
- b. At least 10 percent of the building lots in the area to be served are improved with houses or business places. Where a house or building and its yard or ground cover more than one lot, all lots so covered are considered improved. The streets are paved or otherwise improved to permit the travel of Postal Service vehicles at all times, without damage or delay.
- c. Streets are named and house numbers are assigned by the municipal authorities in accordance with Management Instruction DM-940-89-3, *Addressing Conventions*.
- d. Street signs are in place and house numbers are displayed.
- e. Rights-of-way, turnouts, and areas next to roads and streets are sufficiently improved so that the installation, servicing, and accessing of boxes are not hazardous to the public or Postal Service employees.
- f. Satisfactory walkways exist for the carrier where required.
- g. Approved mail receptacles or door slots are installed at designated locations, as directed by the Postal Service.

## 642 Extensions

### 642.1 Definition

In this section, *extension* refers to the expansion of city delivery service to any areas not currently receiving delivery service but that are within the delivery limits of a Post Office from which city delivery service is already provided.

### 642.2 Requirements

The delivery service requirements for extensions are the same as those listed in [641.2](#) for establishments, with the following exceptions:

- a. Section [641.2a](#) does not apply to extensions.
- b. The applicability of b may be waived if:
  - (1) There is a reasonable expectation that the requirements of [641.2b](#) can be met within 12 months, and
  - (2) CBUs or USPS STD 4C equipment are to be used for delivery.

### 642.3 Out-of-bounds Customers

Customers outside the limits of city delivery service may be given delivery service, where approved by the Postal Service, if they erect boxes on the delivery carrier's line of travel. Parcel Post, Insured Mail, Certified Mail, COD, and Registered Mail are delivered to the residences or businesses of out-of-bounds customers if the residences or businesses are not more than three blocks from the carrier's line of travel and passable walks are constructed or the street is not impassable. Otherwise, a notice is left in the box requesting that the customer call for the mail. If an ordinary parcel is involved and it can be placed in the box, delivery is made in that manner.

## 643 Requests for Delivery Service

### 643.1 General

Requests or petitions to establish, change, or extend city delivery service must be made to the local postmaster. No formal petition is required. Postmasters forward requests or petitions to establish service to the district designee with a statement reporting whether the requirements in [641.2](#) have been met.

### 643.2 Labor Strikes

The procedures for delivery to an address experiencing a labor strike are as follows:

- a. Where a labor strike is in progress, the same service as was in effect prior to the strike should continue. No requests for changes in mail service will be complied with while the strike is in progress. If a request is received to have mail delivered to a plant that is normally received through Post Office box service or at a firm call window, advise that the request will not be granted until after the strike is over.
- b. Where it is the practice of a firm to transport mail to and from a detached mail unit (DMU) and a request is received for the Post Office

to perform this service during a strike, disapprove the request because this involves a change in mail service.

## 644 **Carrier Duties, Responsibilities, and Conduct**

Refer to Handbook M-41, *City Delivery Carriers Duties and Responsibilities*.

## 645 **Management**

### 645.1 **Pivoting Definition**

Pivoting is a method of utilizing the undertime of one or several carriers to perform duties on a temporary vacant route or to cover absences. Nonpreferential mail may be curtailed within delivery time standards on the vacant route and/or on the route of the carriers being pivoted.

### 645.2 **Pivoting Usage**

Pivoting is not limited to periods when mail volume is light and when absences are high, but also can be utilized throughout the year for maintaining balanced carrier workloads.

## 646 **Reporting Local Ordinances and State Laws**

Managers are expected to report in a timely manner to district offices any contemplated action by local or state authorities to enact or consider enactment of local ordinances or state laws that would adversely affect operating costs or performance of postal services.

# 65 **Rural Delivery Service**

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## 651 **Types of Service**

### 651.1 **Regular and Auxiliary Routes**

A regular or auxiliary route operates Monday through Saturday, excluding holidays. Regular routes are classified as H, J, or K, in accordance with the table of route classifications provided in the Postal Service-NRLCA National Agreement. Regular carriers assigned to H routes work 6 days per week, while J routes receive 1 scheduled relief day per pay period, and K routes have 2 scheduled relief days per pay period.

Mileage routes, also referred to as M or RCS routes, are regular routes on which the carrier is compensated on the basis of the route's mileage and the RCS (mileage) schedule. Mileage routes are no longer established. As existing mileage routes are vacated or standard hours increase so that the evaluated salary of the carrier would exceed the RCS salary, they are converted to the evaluated compensation system, at the appropriate classification.

**Note:** Authorized relief days are granted on Saturdays unless another day is desired by the regular carrier and is mutually agreeable to the postmaster and carrier. For J routes, the postmaster may schedule the relief day on either the first or second Saturday of the pay period.



**651.2 Intermediate Offices**

An *intermediate office* is any Post Office located on the line of travel of the rural route, included in the official route description, and at which the carrier stops (daily) to perform service. Irregularities, complaints, and administrative problems involving a route serving intermediate offices are reported to the postmaster of the office from which the route emanates.

**651.3 Seasonal Routes**

A *seasonal route* is one where certain areas are provided delivery only for a specified period of less than 1 year. Normally, these routes are located in resort or vacation areas. The seasonal period is defined as that period in which the carrier is required to attempt delivery. The seasonal period ends when delivery is no longer required of the carrier.

**651.4 Triweekly Routes**

A *triweekly route* is one on which the mail volume and requirement for service warrants delivery only 3 days a week.

**651.5 Nonpersonnel Rural Units****651.51 Description**

*Nonpersonnel rural units* are self-service units that provide essential mail services, such as the collection and delivery of ordinary mail and sale of stamps. Services such as the sale of money orders and the acceptance and delivery of Certified Mail, Insured Mail, Registered Mail, and COD Mail are provided by rural carriers at the time they service these units. Carriers must remain at the unit at least 15 minutes each day that their routes are scheduled to operate in order to provide customers with the services not otherwise available from the unit.

**651.52 Delivery**

Mail addressed to a nonpersonnel rural unit is placed in the addressee's Post Office box or delivery receptacle at the unit.

**652 Establishment of Rural Delivery Service****652.1 Definition**

In this section, *establishment* refers to the initiation of rural delivery service to a community through a Post Office that does not presently provide it. Rural delivery service may be established at any Post Office. See [631](#) for authorized modes of delivery.

**652.2 Requests**

Customers must submit requests for establishment of rural delivery service to the postmaster of the Post Office from which delivery is desired, or to the district manager. PS Form 4027, *Petition for Change in Rural Delivery*, is available from the postmaster and used for this purpose.

**652.3 Requirements****652.31 Customer Density**

A newly established route should serve an average of at least one residential or business delivery per mile. On routes of less than 10 miles, an average of at least six deliveries per mile should be eligible for service before a route is established. Unusual conditions such as the volume and type of mail should be considered.

**652.32 Minimum Workloads**

In Post Offices with no existing rural delivery service, the proposed route evaluation should reflect sufficient workload to meet minimum rural carrier scheduling requirements efficiently, unless the intermediate office concept can be used in conjunction with an existing rural route (see Handbook M-38, *Management of Rural Delivery Services*, 225).

**652.33 Roads****652.331 General**

Roads should generally be public and must be well maintained and passable for delivery vehicles year round.

**652.332 Road Maintenance**

Rural delivery service is not established over roads that are not kept in good condition, that are obstructed by gates, or that cross unbridged streams that are not fordable throughout the year. If travel over private roads is proposed, the person responsible for road maintenance must provide a written agreement to keep the road passable at all times. The agreement must include the statement: "It is understood that if the road is not properly maintained, rural delivery service will be withdrawn."

**652.4 Submission and Approval****652.41 Postmasters**

Forward requests for establishment of delivery to the district, along with the proposed route statistics, a completed PS Form 4003, *Official Rural Route Description*, a map clearly identifying the potential line of travel, road maintenance agreements, and any other relevant documentation. Include a recommendation.

**652.42 District Responsibilities****652.421 Review and Approval**

The district manager or designee must review and approve or disapprove any requests for establishment of rural delivery.

**652.422 Delivery Boundaries**

Districts should avoid duplication of existing delivery and the commingling of delivery boundaries with another Post Office. Postmasters' recommendations, customer preferences, and community or municipal identity should be considered in establishing delivery boundaries.

**652.423 Support**

If the request is approved, ensure that necessary equipment, staffing, rural delivery management procedures, and so forth, are in place prior to initiating service.

**652.424 Customer Notification**

Ensure that customers are notified of changes in service promptly.

**653 Extensions****653.1 Definition**

In this section, *extension* refers to the expansion of rural delivery service into any areas not presently receiving delivery service, but within the delivery limits of a Post Office for which rural delivery has already been established. See [631](#) for authorized modes of delivery.

**Note:** Provide carrier service to persons who erect approved boxes on the line of travel of the rural carrier and to persons for whom approved Cluster Box Units (CBUs) or USPS STD 4C equipment and/or parcel lockers are erected and maintained by the Postal Service on the carrier's line of travel. No rural carrier service may be extended to persons residing within the boundary formed by existing city delivery service.

**653.2 Eligibility**

At noncity delivery Post Offices of the first-, second-, and third-class, rural delivery may be extended to families who reside outside a 1/4-mile radius (1/2-mile radius for fourth-class Post Offices) of the Post Office if such service is requested and the other requirements in this section are met. Customers residing within the 1/4-mile radius may erect a box along the carrier's established line of travel.

**653.3 Requests**

Customers may request extension of rural delivery service using PS Form 4027.

**653.4 Customer Density**

Extensions must serve a minimum of one customer per mile of additional travel, including retrace.

**653.5 Roads**

The requirements of [652.33](#) must be met.

**653.6 Multiple Routes**

Where routes from two or more Post Offices travel one road, the district will determine which office will provide delivery and contact the appropriate postmaster for the resulting route assignment.

**653.7 Submission and Approval**

District managers or their designees approve extensions of rural delivery. Postmasters who have demonstrated expertise in rural delivery may be

authorized to approve extensions. Refer to sections 443 and 450 of Handbook M-38, *Management of Rural Delivery Services*, for instructions.

## 654 **Conversions**

### 654.1 **Definition**

In this section, *conversion* refers to the replacement of rural delivery service with another form of delivery service. Any conversion of rural delivery territory must be approved by the district manager, except as noted in [654.21d](#).

### 654.2 **Conversions From Rural Delivery to Other Delivery Services**

#### 654.21 **Full Development Not Adequate Justification for Conversion**

The fact that a given area is fully developed and/or adjacent to city delivery service does not, of itself, constitute sufficient justification for conversion.

As a general rule, conversions from rural to city delivery shall be considered only for the following reasons:

- a. To provide relief for overburdened rural routes when all other alternatives are impractical.
- b. To establish clear-cut boundaries between rural and city delivery territory and eliminate overlapping and commingling of service.
- c. To provide adequate service to highly industrial areas or apartment house complexes on rural routes.
- d. To provide service to areas where city delivery service will be more cost effective.

**Note:** An area review is required when cost is the basis for conversion.

#### 654.22 **Requirements**

Areas considered for conversion from rural delivery service to city delivery service must:

- a. Meet all the requirements for extension of city delivery service (see [642](#)).
- b. Be contiguous to existing city delivery service.

#### 654.23 **Other Considerations**

When considering conversion of rural delivery to another form of carrier delivery service, observe the following guidelines:

- a. Keep in mind that the special services performed by rural carriers will no longer be available to that portion of the public transferred.
- b. Consider that additional costs may be incurred through establishment of finance units, workload factors, and other added expenses.
- c. Determine whether equal or better service can be provided at lower cost by establishment, extension, or rearrangement of rural delivery service.
- d. Continue motorized delivery to curbside boxes or clusterbox units.

## 655 **Duties, Responsibilities, and Conduct**

### 655.1 **Rural Carriers**

Rural carriers must not carry mailable articles on their routes unless they are placed in the mail and the proper postage is paid.

Rural carriers should refer to Handbook PO-603, *Rural Carrier Duties and Responsibilities*.

### 655.2 **Management**

#### 655.21 **General**

Refer to Handbook M-38, *Management of Rural Delivery Services*.

#### 655.22 **Suspension of Service**

Do not permit suspension of service on rural routes because of the absence of regular carriers or their replacements. When conditions beyond the carrier's control prevent service on a triweekly route's scheduled service day, provide service on the next workday.

### 655.3 **Reporting Local Ordinances and State Laws**

Managers are expected to report in a timely manner to district offices any contemplated action by local or state authorities to enact or consider enactment of local ordinances or state laws that would adversely affect operating costs or performance of postal services.

## 656 **Rural Addresses**

### 656.1 **Street Names and House Numbers**

Postmasters should authorize the use of street names and house numbers assigned by local officials if street signs are erected and house numbers displayed.

### 656.2 **Box Numbers**

#### 656.21 **Existing Delivery Area**

Where street names and house numbers have not been assigned and/or are not displayed as required in [656.1](#), assign numbers to all boxes on a route in numerical sequence in the order served. Allow sufficient increments between box numbers to accommodate foreseeable growth. Designate new boxes erected between existing boxes as A, B, C, and so forth (for example, 1-A, 1-B).

#### 656.22 **Newly Established Delivery Area**

Box numbers shall not be assigned until 2 months after service begins on newly established routes for customers who are receiving service for the first time. If by that time 75 percent of the customers have not erected boxes, advise the district manager so that appropriate action can be taken.

### 656.3 **Correction of Address Errors Due to Postal Service Adjustments**

When rural carriers report receipt of rural route boxholders and duplicate pieces addressed to "Occupant" where street names and house numbers

are used, advise the sender of the duplication on PS Form 3577, *Correction of Error in Address Because of Postal Service Adjustments*.

## 66 Highway Contract Service

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### 661 Description

Highway contract route service provides for the transportation of mail between Post Offices or other designated points where mail is received or dispatched. Box delivery, collection service, and other mail services are also provided on many routes. Every highway contract route carrier must accept any mail matter presented if properly prepaid by stamps, and deliver it for mailing at the next Post Office at which he or she arrives.

### 662 Establishment

#### 662.1 New Service

Contracts for regular service are awarded after the contracts have been solicited by public advertisement. Temporary service may be established on short notice without advertising. Requests or petitions for new routes should be addressed to the distribution networks (DNs) manager with supervision over the transportation of mail in the area involved.

#### 662.2 Changes

Changes in line of travel, extensions of service, and schedules may be ordered by the DN manager at any time. Requests for changes and extensions should be addressed to that manager.

### 663 Box Delivery and Collection

#### 663.1 Service Required

Highway contract route advertisements and contracts state whether box delivery, collection service, or other mail services are required and specify the area to be served. In addition to usual box delivery and collection service on some routes, carriers are required to do the following:

- a. Sell stamp supplies.
- b. Deliver Registered Mail, Insured Mail, Certified Mail, and COD Mail, Priority Mail Express, and other special services Mail.
- c. Accept special service matter presented by customers to be Registered Mail, Insured Mail, Certified Mail, COD, etc.
- d. Accept money with applications for money orders and give receipts.

#### 663.2 Availability

Contract route box delivery and collection service is provided without charge to customers who:

- a. Are not eligible for city carrier service.

- b. Reside on or near a route on which box delivery and collection service is required.
- c. Either erect a curbside mailbox approved under [632.5](#) on the highway contract route carrier's existing line of travel or are authorized to receive delivery through neighborhood delivery and collection box units and parcel lockers owned and maintained by the Postal Service.
- d. Request, from the Post Office to which mail is addressed, delivery and collection service on PS Form 5431, *Contract Route Box Customer Notice*. Highway contract route customers residing between two Post Offices may receive mail service from the Post Office that is the next one preceding the customer's residence, or from either Post Office if there is a return trip. In addition, the customer may receive delivery from the Post Office from which the highway contract route originates.

**Note:** Contract route delivery and collection service is also provided to persons at hotels, motels, other institutions, and mobile home, trailer, or recreational vehicle parks under [631](#).

#### 663.3 **Mail Delivery**

Mail matter addressed to a qualified customer of a highway contract route is taken by the carrier from the Post Office and deposited into the proper mail receptacle. If required by the contract, the carrier delivers Registered Mail, Certified Mail, Insured Mail, and COD Mail, Priority Mail Express, other special services mail, and ordinary parcels too large for the receptacle. Delivery of this mail is made to the customer's residence if it is not more than 1/2 mile from the route and the road leading to it is passable. The carrier dismounts when necessary to transact business involving the above classes of mail. Package Services packages too large for receptacles may also be delivered to outside boxes if the addressee files a written request for delivery in that manner. If delivery cannot be made by the carrier, the mail is held at the Post Office.

#### 663.4 **Mail Collection**

Mail matter properly stamped and placed in a mail receptacle for dispatch is collected by the carrier and deposited in the next Post Office at which the carrier arrives, unless otherwise directed by the Postal Service. Mail collected on the route and addressed for delivery on that part of the route still to be covered before reaching the next Post Office is delivered on the day of collection. The carrier cancels the stamps before delivery by writing across them the name of the Post Office last served, state, date, and number of the route. Bulky mailable matter, properly prepared and stamped, is collected by the carrier if it has been placed on or near the receptacle. Money left in mail receptacles for the purchase of stamps is left at the customer's risk.

#### 664 **Mailbox Location**

Approved curbside mail receptacles (see [632.5](#)) must be placed where they protect the mail, can be safely and conveniently served by carriers without leaving their vehicles, and can be reasonably and safely accessed by customers. These receptacles must be on the right-hand side of the road in the direction of travel when required by traffic conditions or when driving to

the left-hand side of the road to reach the mail receptacle would violate traffic laws.

## 665 **Postmaster Duties**

Postmasters are required to ensure the following:

- a. Distribution of Registered Mail, Insured Mail, Certified Mail, and COD Mail to the carrier, only if the contract requires that the carriers deliver such mail.
- b. Mail is not provided to the carrier outside of the regular lock pouch before it has reached the Post Office to which it is addressed.

## 666 **Carrier Duties**

### 666.1 **Contract Requirements**

If the contract requires that the carrier case his or her mail, the carrier must do the following:

- a. Accept from the postmaster mail addressed to customers on the route and arrange it in order of delivery.
- b. Prepare and keep a list of the names of the customers served and arrange it in alphabetical order with the box number opposite each name.
- c. Mark up and forward mail for customers on his or her route who have filed change-of-address orders and make the proper entries in the roster book.

### 666.2 **Sale of Stamps and Stamp Supplies**

If the contract requires the carrier to sell stamps and stamp supplies, a fixed credit is provided by the postmaster at the head of the route. Where the carrier serves customers who receive mail through other offices on the route, the carrier replenishes his or her fixed credit at those offices in amounts representing sales made by him or her to customers served through these offices.

# 67 **Priority Mail Express**

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## 671 **General Standards**

DMM 110 and 210 provide standards for delivery service objectives, postage guarantees, and refund conditions. The delivery standards vary by service offering and its availability to a particular destination. Priority Mail Express is available in three basic service offerings (Next Day Service, Second Day Service, and Priority Mail Express Military Service).



## 672 **Priority Mail Express Next Day Service®**

### 672.1 **Hold For Pickup Service**

#### 672.11 **Acceptance Facility (Retail Location)**

If Hold For Pickup service is requested, the retail associate at the designated Priority Mail Express Hold For Pickup location performs the steps appropriate to the terminal/site.

##### 672.111 **POS Terminal User Steps**

The user of a Point of Sale (POS) terminal should complete the following steps:

- a. Place the shipment on the scale.
- b. Select "Priority Mail Express Hold For Pickup."
- c. Select either "Priority Mail Express Hold For Pickup" or "Priority Mail Express Hold For Pickup Flat Rate."
- d. Scan the shipment barcode on Label 11-HFPU, *Priority Mail Express Hold For Pickup*.
- e. Complete the payment transaction.
- f. Dispatch the Priority Mail Express Hold For Pickup shipment according to local policy.

##### 672.112 **IRT User Steps**

The user of an integrated retail terminal (IRT) should complete the following steps:

- a. Place the shipment on the scale.
- b. Select "Priority Mail Express Hold For Pickup."
- c. Select the applicable Post Office, pickup time, and ZIP Code.
- d. Use either the keyboard or the scanner and enter the item number.
- e. Complete the payment transaction.
- f. Dispatch the Priority Mail Express Hold For Pickup shipment according to local policy.

##### 672.113 **Manual Sites User Steps**

Manual sites should complete the following steps:

- a. Place the Priority Mail Express shipment on the scale.
- b. Select the applicable Post Office location and pickup time from the Priority Mail Express Hold For Pickup Claim Locations report and hardcopy Priority Mail Express Network.
- c. Complete the payment transaction.
- d. Dispatch the Priority Mail Express Hold For Pickup shipment according to local policy. No special separation of Priority Mail Express Hold For Pickup is required at retail facilities.

672.12 **Priority Mail Express Hold For Pickup, Mailing Label 11-HFPU, Customer Responsibility**

The customer must complete the “Customer Use Only” section of Label 11-HFPU that includes the following:

- a. From: (required).
- b. Payment by account: indicating Priority Mail Express corporate account, federal agency, or Postal Service account number (if applicable).
- c. Hold for (contact required): contact telephone number and complete name and address of recipient for identification and pickup purposes.
- d. Pickup location (required): determined by POS, IRT, or product tracking system (PTS) Priority Mail Express Hold For Pickup Claim Locations report.

672.13 **Priority Mail Express Hold For Pickup Label 11-HFPU, Postal Responsibility**

The retail acceptance employee completes the “Origin Postal Use Only” section, including the following information:

- a. ZIP Code of origin Post Office.
- b. Date and time of acceptance.
- c. Pickup availability date and time entered using POS, IRT, or the PTS Priority Mail Express Hold For Pickup Claim Locations report and a hardcopy of the Priority Mail Express Network Directory.
- d. Flat rate or weight, postage, extra services fees (if requested), and total postage and fees.

If an account is not used for payment, the retail associate should affix postage to the shipment and collect payment for the transaction.

672.14 **Destination Facility Scanning Requirements**

The destination facility performs the following scans:

- a. Arrival at unit (required).
- b. Arrival at pickup point (required). This scan is critical as it generates the customer automated call notification.
- c. Delivered.\*
- d. Return to sender — not picked up.\*
- e. Return to sender, refused.\*

**Note:** Either “Delivered”, “Return To Sender — Not picked up” or “Return To Sender, Refused” is required.

672.15 **Destination Facility Customer Pickup Verification**

The retail associate must take the following steps when the recipient or his or her designee arrives to pick up the Priority Mail Express Hold For Pickup shipment:

- a. Ensure that the recipient or his or her designee presents:
  - (1) A valid government-issued photo identification for verification.

- (2) The name and address of the recipient as they appear on Label 11-HFPU.
- (3) The last 4 digits of the tracking number.
- b. On Label 11-HFPU, annotate the delivery date, time, and employee initials.
- c. Scan the Priority Mail Express Hold For Pickup shipment barcode delivered with POS or with the hand-held scanner when the shipment is released to the recipient or his or her designee.

#### 672.2 Post Office to Addressee Service

Any Next Day Post Office to Addressee Service item presented under [137.521](#) must be delivered to the addressee within the designated delivery area of the destination facility by noon or 3 P.M. of the next day. If an item cannot be delivered on the first attempt these procedures (unless when forwarding or return service is provided) must be followed:

- a. The time and date when delivery was attempted and the signature of the employee who attempted delivery must be entered in the "Delivery Attempt" block of Label 11-B (or Label 11-F), *Express Mail Post Office to Addressee*.
- b. PS Form 3849, *Delivery Notice/Reminder/Receipt*, is left at the delivery address if delivery cannot be made upon the first attempt (calendar Day 0), to show the item is being held for pickup. A second notice will be left on day 3. Unclaimed mailpieces will be returned to the sender at close of business on day 5. A second delivery attempt will only be made upon customer request.
- c. The name, address, and hours of operation of the delivery facility where the item is held must be entered on PS Form 3849. If the item is transferred to another facility, the first delivery facility must be able to give the customer the appropriate information such as the name and address of the facility to which the item was transferred. If PS Form 3849 cannot be left for any reason (e.g., no mail receptacle), the addressee should be telephoned and informed that a delivery was attempted, and where the item may be picked up. The date of the telephone attempt or contact must be recorded on Label 11-B (or Label 11-F). Customers may request redelivery online at [www.usps.com/redeliver](http://www.usps.com/redeliver) or by calling 800-275-8777.
- d. If the addressee has requested (in writing) that Next Day Service items be held for a specified day or number of days, then the time and date when the item was available for delivery and the initials of the employee must be entered in the "Delivery Attempt" block of Label 11-B (or Label 11-F). The item must be delivered on the next regular delivery day after the specified day or number of days that the item was requested to be held.
- e. If delivery cannot be made, the item must be held for 5 calendar days, unless the addressee requests a redelivery.
- f. Priority Mail Express Waiver of Signature shipments should be delivered without attempting to obtain the customer's signature if the shipment can be delivered to the addressee's mail receptacle or left in

another secure location. Follow the handheld scanner waiver of signature procedures, capturing the delivery employee's signature image as instructed.

## 673 **Priority Mail Express Second Day Service®**

### 673.1 **Post Office to Addressee Service**

Any Second Day Post Office to Addressee Service item presented under [137.531](#) must be delivered to the addressee within the designated delivery area of the destination facility by noon or 3 P.M. of the second day. Instructions for second-attempt delivery are the same as those described in [672.2](#).

## 674 **Priority Mail Express Military Service**

### 674.1 **To APO/FPO**

Under Post Office to Addressee Service to APO/FPO destinations, an Priority Mail Express Military Service (PMEMS) item presented under [137.541](#) for an APO/FPO address is available for delivery at the destination APO/FPO facility by 3 P.M. of the second day after mailing unless the APO/FPO facility is closed that day; in such a case, the item is available for delivery on the following business day. An PMEMS item presented for 3-day service is available for delivery at the destination APO/FPO facility by 3 P.M. of the third day after mailing unless the APO/FPO facility is closed that day; in such a case, the item is available for delivery on the following business day.

### 674.2 **From APO/FPO**

Under Post Office to Addressee Service from an APO/FPO to a U.S. destination, an Priority Mail Express Military Service (PMEMS) item presented under [137.541](#) is delivered to an addressee within the delivery area of the destination facility by 3 P.M. of the second day after mailing. An PMEMS item presented for 3-day service is delivered to an addressee within the delivery area of the destination facility by 3 P.M. of the third day after mailing.

# 68 Undeliverable Mail

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## 681 **Mail Undeliverable as Addressed**

### 681.1 **General Provisions**

Nondelivery of mail occurs for any one of the following general reasons:

- a. Mail without postage.
- b. Incomplete, illegible, or incorrect address.
- c. Addressee not at address (moved or died).
- d. Mail unclaimed.
- e. Mail refused by the addressee at time of delivery.

- f. Mail refused by the addressee after delivery when refusal authorized under [611.1](#).
- g. Nonmailable matter under [138](#) and [139](#).

## 681.2 **Specific Provisions**

The provisions governing undeliverable mail of each class are in the sections of this manual dealing with each class of mail and in DMM 507.1.0.

## 681.3 **Undeliverable Due to Postal Service Adjustments**

### 681.31 **Types of Changes**

Mail can be undeliverable because of Postal Service adjustments such as:

- a. Renumbering houses.
- b. Renaming streets.
- c. Converting from rural route and box number-style addresses or highway contract route and box number-style addresses to city-state addresses.
- d. Adjusting rural or highway contract routes.
- e. Converting from rural or highway contract service to city delivery service.
- f. Consolidating routes.
- g. Consolidating Post Offices.
- h. Readjusting delivery districts.

### 681.32 **Change Notice**

Customers should notify their correspondents of their correct address, including ZIP Code. PS Form 3576, *Change of Address Request for Correspondents, Publishers, and Businesses*, is available for this purpose. Where practical, postmasters must attempt to notify publishers and other mailers who regularly send bulk mailings into the area. No charge is made to these mailers for the notices or for corrections to galley lists of address changes due to Postal Service adjustments.

### 681.33 **Mail Disposition**

Mail that is undeliverable because of the Postal Service adjustments listed in [681.31a](#) through [681.31c](#) is redirected and delivered to the destination without an additional postage charge for 1 year from the date that the new address information appears in the Address Information System (AIS) quarterly (bimonthly effective October 15, 1996) customer products released in January, April, July, and October. Mail that is undeliverable because of other Postal Service adjustments (see [681.31d](#) through [681.31h](#)) is redirected and delivered to the destination without an additional postage charge for 1 year from the end of the month in which the postal change occurs. In all cases, simplified address mail addressed to “Rural Route Box Customer,” “Highway Contract Route Box Customer,” or “Post Office Box Customer” is redirected and delivered without an additional postage charge until either the next June 30 after the change in service or 90 days after the change in service, whichever is later.

#### 681.34 **Time Limit for Retention of Records**

Records of address changes for Postal Service adjustments are kept by the local Post Office for 3 years.

#### 681.4 **Endorsements**

The Postal Service endorses undeliverable-as-addressed mail with the reason for nondelivery.

#### 681.5 **Treatment of Undeliverable-as-Addressed Mail**

##### 681.51 **General**

Except under [681.53](#), mail that is undeliverable as addressed may be forwarded, returned to the sender, or treated as dead mail, depending on the treatment authorized for that class of mail and the mailer's endorsement.

##### 681.52 **Official Mail**

Treat official mail like mail of the general public, except do not rate it or collect postage due upon delivery of mail or collect postage due for address-correction notices.

##### 681.53 **Nonmailable and Nonstandard Pieces**

Except for matter described in [139.117](#) and overweight/oversized items subject to DMM 601.1.2, nonmailable and nonstandard pieces are forwarded, returned, or referred to the Inspection Service as applicable under [138](#) and [139](#).

#### 681.6 **Processing**

Postal Service policy is to process all undeliverable-as-addressed mail within 24 hours of receipt at the markup unit. PS Form 3579 is mailed weekly to publishers. PS Form 3579 is not to be kept in a forwarding unit for more than 7 days from receipt of the mail in the Computerized Forwarding System (CFS) site.

#### 681.7 **Removal From Postal Service Facilities**

Employees are not permitted to remove undeliverable mail and/or waste or waste receptacles from postal facilities for personal use or for any use not authorized by the Postal Service.

### 682 **Forwarding**

#### 682.1 **Change-of-Address Order**

##### 682.11 **Forwarding Instructions**

Procedures for providing forwarding instructions are as follows:

- a. Customers should advise their local Post Office when moving by filing PS Form 3575, *Change of Address Order*, available at any Post Office or from any carrier. Also acceptable is a written and signed order or a telegram sent by the customer, the customer's agent, or person in whose care mail is addressed. Old and new addresses should be furnished.

- b. A change of address may not be filed with the Postal Service for an individual's mail addressed to an organization, or to the individual at his or her place of employment, business, or other affiliation, either during or after the termination of the employment, business, or other relationship. Such mail is delivered under [614](#).
- c. A person or organization formerly receiving mail at the address of a governmental or nongovernmental organization may leave a forwarding address with that organization for having mail redirected under [682.24](#).

#### 682.12 **Guarantee to Pay Forwarding Postage**

Unless endorsed "Do Not Forward, Do Not Return," the Postal Service forwards Package Services mail locally for 1 year free of charge. The addressee is charged forwarding postage for pieces forwarded nonlocally. The addressee may refuse any piece of Package Services mail (see [611.1c](#), [681.1e](#), and [681.1f](#)). Such refusal does not revoke the right to have other Package Services mail forwarded. If the addressee does not want to pay forwarding postage for all Package Services mail, the addressee must request the postmaster of the new address to use PS Form 3546, *Forwarding Order Change Notice*, to notify the postmaster of the old address to discontinue forwarding Package Services mail.

#### 682.13 **Time Limit of Change-of-Address Order**

The time limits on change-of-address orders are as follows:

- a. *Temporary*. Customers moving temporarily may have mail forwarded for a specified period, but not longer than 12 months. These customers must provide beginning and ending dates on the change-of-address order. Customers should cancel the change-of-address order when returning to their old address or when moving to another permanent address within the specified period.
- b. *Normal*. Post Offices keep records of permanent change-of-address orders (other than those subject to [682.13d](#)) for forwarding and for address correction for 18 months, starting from the end of the month in which the change takes effect.
- c. *Extension*. When a boxholder notifies the Post Office of a permanent change in mailing address or the Postal Service administratively changes a customer's mailing address, the postmaster may extend the forwarding period for 1 additional year if mail is regularly received addressed to the old address. To qualify, the addressee must show that a financial hardship will ensue if the forwarding period is not extended and that reasonable effort is being made to notify correspondents of the new address.
- d. *Retention and Use of Orders*. Post Offices must keep change-of-address orders for 18 months from the end of the month in which the change takes effect. During this period, the orders are used for administrative purposes, for providing mailing list service (see DMM A910), and for releasing address-change information to the public under the Freedom of Information Act (see ASM 352).
- e. *Change From General Delivery at City Delivery Office*. Post Offices keep a record of change-of-address orders to a permanent local

address without time limit for 6 months. A record of change-of-address orders to other than a permanent local address is kept 30 days.

## 682.2 **Forwardable Mail**

### 682.21 **Classes**

If eligible for forwarding, the Postal Service reforwards mail as many times as necessary to reach the addressee if the address (but not the name) is changed. The Postal Service forwards the following classes of mail:

- a. First-Class Mail (including Priority Mail), postcards, and postal cards.
- b. Priority Mail Express.
- c. Official mail sent as First-Class Mail.
- d. Periodicals.
- e. USPS Marketing Mail when forwarding postage is guaranteed by sender.
- f. Package Services locally or when forwarding postage is guaranteed by sender.
- g. Mail of foreign origin (see IMM 764).

### 682.22 **Change in Post Office Services**

Guidelines for forwarding mail when there is a change in Post Office services are as follows:

- a. *Discontinued Post Office.* All Priority Mail Express, First-Class Mail, Periodicals, and Package Services and all single-piece-rate USPS Marketing Mail addressed to a discontinued Post Office may be forwarded without added charge to another Post Office that the addressee designates, when the addressee finds inconvenient the office to which the Postal Service ordered the mail sent.
- b. *Rural Delivery.* When rural delivery service is established or changed, customers of any office who receive their mail from the rural carrier of another office may have their Priority Mail Express, First-Class Mail, Periodicals, and Package Services, and single-piece-rate USPS Marketing Mail forwarded to the latter office for delivery by the rural carrier without added charge if they file a written request with the postmaster at the former office.
- c. *City Delivery.* Mail addressed to Post Office, rural route, or highway contract route boxholder is delivered to customers residing in the affected area until June 30 following establishment or conversion to city delivery service, or for 90 days, whichever is longer.

### 682.23 **Persons in U.S. Service**

All Priority Mail Express, First-Class Mail, Periodicals, and Package Services, and single-piece-rate USPS Marketing Mail addressed to persons in the United States services (civil and military), serving where U.S. mail service operates, is forwarded at no added charge when the change of address is caused by official orders. The forwarding Post Office endorses Periodicals and Package Services, single-piece-rate USPS Marketing Mail, and Priority Mail with "Change of Address Due to Official Orders." This free forwarding of



mail also applies to mail for household members whose change of address is caused by official orders to persons in the U.S. civil and military services. When military personnel depart on official permanent change of station orders, military authorities forward mail between the United States and overseas APO and FPO addresses for 60 days.

682.24 **Reforwarding**

The address (but not the name) may be changed and the mail reforwarded as many times as necessary to reach the addressee.

682.3 **Additional Postage for Forwarding**

Mail is forwarded subject to additional postage. The Postal Service computes this postage by using the forwarding office as the origin office. Forward as follows:

- a. Forward First-Class Mail, including zone-rated Priority Mail, postcards, and postal cards, without charge if fully prepaid by the sender.
- b. Forward Periodicals publications without charge for 60 days if fully prepaid by the sender.
- c. For USPS Marketing Mail, collect additional postage from the sender if forwarding and return service is requested. Return any mail that qualifies for a single-piece Package Services rate at that rate if the mailer's endorsement specifies that rate. For example, a USPS Marketing Mail piece qualifying at the Media Mail rate for books is endorsed "Media Mail, Forwarding and Return Postage Guaranteed."
- d. Collect additional postage for Package Services mail for nonlocal forwarding at the applicable rate. This forwarding must be guaranteed by the sender or recipient. Deliver all Package Services mail as directed when the old and new addresses are served by the same single ZIP Code or multiple ZIP Code Post Office. Additional postage is not required.
- e. Forward Registered Mail, Certified Mail, Insured Mail, COD Mail, Confirmation Services mail, and special-handling mail without the payment of additional special service fees. The ordinary forwarding postage charges, if any, must be paid. Do not forward such mail to a foreign country.
- f. Forward Priority Mail Express without charge.
- g. Mail of foreign origin is handled according to IMM 764.

682.4 **Directory Service**

Postal Service letter carrier offices give directory service to the types of mail listed in this section that have an insufficient address or cannot be delivered at the address given. A city or telephone directory is an acceptable source. Post Offices should not compile a directory of any kind. Types of mail given directory service are the following:

- a. Certified.
- b. COD.

- c. Foreign, except circulars. Do not give directory service to foreign mail received in quantities if it bears letter-class postage but has the general characteristics of circular mail.
- d. Package Services mail is subject to additional postage for nonlocal forwarding at the proper single-piece rate. Unless endorsed "Do Not Forward, Do Not Return," all Package Services mail is delivered as directed when the old and new addresses are served by the same single ZIP Code or multiple ZIP Code Post Office. Additional postage is not charged.
- e. Mail from U.S. Armed Forces overseas. Do not return this mail to sender until every possible effort is made to deliver it.
- f. Parcels mailed at any single-piece rate or endorsed by the mailer.
- g. Perishable matter.
- h. Registered matter.
- i. Special handling.
- j. Official Postal Service mail.
- k. Priority Mail Express Next Day Service (Post Office to Addressee Service only).
- l. Confirmation Services.

## 683 **Address Correction Service, Address Change Service, and Return**

### 683.1 **Address Correction Service**

#### 683.11 **Availability**

If mail cannot be delivered as addressed, the mailer may obtain the recipient's new (forwarding) address through the Postal Service address correction service if an order is on file. Otherwise, the reason for nondelivery is provided. Provide address correction service (including Address Change Service) automatically after 60 days from the effective date of the recipient's change of address for all Periodicals publications. Address corrections are available "on-piece" at no charge or separately, for a fee, at the mailer's request. When possible, the Postal Service provides on-piece address corrections for Priority Mail Express, First-Class Mail, Priority Mail, USPS Marketing Mail, and Package Services mail. If the piece cannot be forwarded, it is returned with the address information or the reason for nondelivery attached. When separate corrections are necessary, PS Form 3547, *Notice to Mailer of Correction in Address*, is returned to the sender with the address correction fee charged, and the mail is forwarded. This service is not available for Priority Mail Express, First-Class Mail, USPS Marketing Mail, or Package Services mail addressed to the addressee by military personnel at any military installation, including APOs and FPOs. Address correction service is available alone or with the forwarding and return service.

**683.12 Address Change Service**

Address Change Service (ACS) allows a mailer to obtain a customer's correct address or the reason for nondelivery on magnetic tape. This service is available weekly or monthly, depending on the mailer's requirements. ACS is provided through the Postal Service Computerized Forwarding System. (See DMM F030 for additional information.)

**683.13 Endorsement**

To request address correction service, the endorsement "Address Correction Requested" should be used.

**683.14 Fee**

The applicable fee for address correction service (including Address Change Service) as specified in Notice 123 is charged for each separate notification of address correction or the reason for nondelivery. Generally, when on-piece address correction can be provided, no fee is charged.

**683.2 Sender Instruction****683.21 Return Service**

Undeliverable-as-addressed Priority Mail Express and First-Class Mail (including zone-rated Priority Mail, postal cards, and postcards) that cannot be forwarded or delivered as addressed are returned to the sender at no additional charge when possible. Mail of other classes may be returned to the sender if properly endorsed to guarantee return postage.

**683.22 Endorsements Not to Forward**

The Postal Service does not forward mail with the following address forms or endorsements:

- a. Mail addressed to "Occupant" or "Postal Customer."
- b. Mail bearing instructions of the sender such as "Do Not Forward, Abandon."
- c. Perishable items not marked to abandon that cannot be delivered before spoiling, and day-old poultry that cannot be delivered within 72 hours after hatching. Return these items to the sender immediately if return can be made before spoilage or within the 72-hour period.

**683.23 Registered Mail, Certified Mail, Insured Mail, COD Mail, Return Receipt for Merchandise Mail, and Confirmation Services Mail Items**

A change-of-address order covers Registered Mail, Certified Mail, Insured Mail, COD Mail, Return Receipt for Merchandise Mail, and Confirmation Services Mail items unless the sender gives other instructions or the addressee moves outside the United States. The sender's instructions should appear on the envelope or wrapper. The following are exceptions:

- a. COD Mail is not forwarded to overseas military Post Offices.
- b. Ordinary, Insured Mail, and COD parcels marked on the envelope or wrapper with the mailer's instructions to abandon or sell perishable items are treated following the instructions. For example:

- (1) “Do not forward or return. If not accepted within \_\_\_\_ days, treat as abandoned. Notify mailer of disposition.”
- (2) “Do not forward or return. If undelivered after \_\_\_\_ days, sell contents to highest bidder and remit proceeds, less commission, to mailer.” (A commission of 10 percent, but not less than \$0.25, is kept by the Postal Service from the amount for which perishable items are sold.)
- c. When the mailer so requests, PS Form 3849-D, *Notice to Sender of Undelivered COD Mail*, is sent to the mailer under DMM S921. The mailer then may designate a new addressee or alter the amount of COD charges by submitting a written request to the postmaster and paying the proper fee (see DMM S921). The Postal Service returns the article to the mailer after the holding period if no response is received. The postage charge, if any, is collected from the mailer for returning the mail (but not registration or COD fees). When COD Mail is addressed to a person who moved and left no forwarding address, PS Form 3849-D is not sent and the mail is returned to the mailer.
- d. Insured USPS Retail Ground without any other endorsement is treated as if endorsed “Forwarding and Return Postage Guaranteed.” The Postal Service forwards it and, if still undeliverable as addressed, returns it to the sender with the new address or reason for nondelivery attached.
- e. Insured Package Services mail without any other endorsement is forwarded at no charge locally and postage-due nonlocally if the recipient guarantees to pay forwarding postage on PS Form 3575, *Change of Address Order*. (For forwarding purposes, *local* means within the same single ZIP Code or multiple ZIP Code Post Office.) If the article is undeliverable, the Postal Service returns it to the sender with the new address or the reason for nondelivery. The mailer is charged for the return of the mailpiece only and the attempted forwarding, when appropriate.
- f. The Postal Service holds undeliverable Registered Mail, Insured Mail, COD Mail, Certified Mail, Confirmation Services mail, and Return Receipt for Merchandise mail items for no fewer than 3 days. For each service as noted below, the maximum number of days is as follows:
  - (1) Hold Registered Mail, Insured Mail, Certified Mail, Confirmation Services mail, and Return Receipt for Merchandise mail items a maximum of 15 days unless the sender specifies fewer days.
  - (2) Hold COD Mail a maximum of 30 days unless the sender specifies fewer days.

#### 683.24 **Priority Mail Express Items**

Any Postal Service employee who cannot dispatch, distribute, or deliver an Priority Mail Express pouch because there is no delivery address on the outside of the pouch must promptly open the pouch to find a delivery address on any envelope, wrapper, or item inside the pouch. Postal Service employees may not open the wrappers or envelopes or break the seals of any Priority Mail Express items inside the pouch. If address information is found, the employee should securely close and promptly tag the pouch and forward it to the delivery

address. If no address information is found, the pouch is sent to the appropriate mail recovery center. Priority Mail Express shipments should be held 5 workdays before return if the sender names no holding period (see DMM 507.4.3.4).

683.25 **Return of Priority Mail Express Items and Registered Mail, Numbered Insured Mail, COD Mail, Certified Mail, Return Receipt for Merchandise Mail, and Confirmation Services Mail Items**

The Postal Service handles returns of Priority Mail Express items and Registered Mail, numbered Insured Mail, COD Mail, Certified Mail, Return Receipt for Merchandise mail, and Confirmation Services mail items as follows:

- a. If a return receipt is attached to Registered Mail, numbered Insured Mail, COD Mail, Certified Mail, or Return Receipt for merchandise Mail or Priority Mail Express to be returned, write the reason for nondelivery on the face of the article. The return receipt remains attached to the article and is returned to the sender. Return Registered Mail immediately through the Registered Mail system.
- b. Before returning or forwarding Priority Mail Express items or Registered Mail, numbered Insured Mail, COD Mail, Certified Mail, Return Receipt for Merchandise mail, or Confirmation Services mail items, do the following:
  - (1) Electronic record management sites must scan/enter the article with the handheld scanner and enter the appropriate event code.
  - (2) Manual record management sites must:
    - (a) Complete PS Form 3849, *Delivery Notice/Reminder/Receipt*, and note on the back of the form the disposition of the article.
    - (b) File PS Form 3849 for Registered Mail, numbered Insured Mail, COD, Certified Mail, and Return Receipt for merchandise Mail with other delivery receipts.
    - (c) File PS Form 3849 for Priority Mail Express, or PS Form 3883, *Firm Delivery Receipt for Accountable Mail and Bulk Delivery Mail*, with other delivery receipts.
- c. When the recipient returns Priority Mail Express items or Registered Mail, numbered Insured Mail, COD Mail, Certified Mail, Return Receipt for Merchandise mail, or Signature Confirmation mail items to the sender, the sender must sign PS Form 3849 at the time the article is returned. Electronic record management sites must scan/enter the article with the handheld scanner and enter the appropriate event code.

683.26 **Other Mail**

Postal Service employees must handle other returnable types of mail as follows:

- a. Return without delay if refused by addressee.
- b. Return without delay if undeliverable when addressed to a street, building, rural or highway contract route, or Post Office box. If the addressee moved without leaving a change of address, hold mail for 10 days awaiting a forwarding order. If no order is received in that time, handle the mail as undeliverable; however, this does not preclude compliance with a sender's request under DMM 507.4.3.4.

- c. Return without delay if undeliverable when incompletely, illegibly, or incorrectly addressed and the addressee is unknown.
- d. Hold in general delivery not to exceed 30 days at sender's request if addressed to indicate that the addressee is expected to call for the mail or if the addressee normally calls there for mail.
- e. Hold as follows when not addressed or when sender does not specify a holding period:
  - (1) Five days if for delivery by rural or highway contract route carrier.
  - (2) Ten days if for general delivery service at an office with city carrier service, or up to 30 days if the postmaster is notified that the addressee will be delayed in coming to claim the item.
  - (3) Fifteen days if for general delivery service at an office without city carrier service.
- f. Do not return mail addressed and deliverable to a Post Office box until after the box is declared vacant, except for Registered Mail, Certified Mail, Insured Mail, COD Mail, Confirmation Services Mail, postage-due mail, and perishable mail items.
- g. Send undeliverable letters bearing the return address of a hotel, motel, school, college, or other public institution printed on the envelope as an advertisement to mail recovery centers for disposition, unless the return address also includes the name or title of an individual or a printed or written request for return.
- h. Return unclaimed franked mail from a member of Congress, and unclaimed official mail, including official reports and bulletins sent by state agricultural colleges and experiment stations, to the postmaster at the office of origin if known. If the office is not known, send the mail to the Post Office at Washington, DC. Send undeliverable mail bearing the return address of the White House, the Senate, or the House of Representatives, with or without postage stamps, to the Post Office at Washington, DC.
- i. If nonmailable, return immediately under the procedures for the particular class of mail.

#### 683.27 **Return of USPS Marketing Mail and Package Services Mail**

The sender of USPS Marketing Mail and Package Services mail may identify valuable pieces and ensure their return by using the applicable ancillary service endorsements. This allows the addressee to refuse delivery of the mail and to return it, at no charge to the original addressee, if the mail including attachments is not opened.

#### 684 **Commercial Mail Receiving Agencies (CMRAs)**

In order to accommodate customers left without delivery service at a CMRA when it goes out of business, host delivery units must take the following actions:

- a. When it is known that the CMRA is out of business and no longer accepting mail, place a notice at the CMRA business address informing the customers of the location where their mail is being held.

- b. Hold these customers' mail at the delivery unit for up to 10 business days (the same delivery unit noted in the notice left at the former CMRA address).
- c. As these former CMRA customers arrive to pick up their mail at the delivery unit, provide them with Publication 75, *Mover's Guide*, and advise them to file PS Form 3575, *Change of Address Order*. Review PS Form 3575 and process it using normal procedures, including sending the mail to the Computerized Forwarding System (CFS) for forwarding.
- d. Use the opportunity when the former CMRA customers are picking up their mail at the delivery unit to promote the benefits of renting a Post Office box (i.e., cost, convenience, forwarding, access to postal products like Priority Mail, and the fact that the Postal Service doesn't go out of business). This assumes that Post Office boxes are available.
- e. At the end of 10 business days, complete a PS Form 3575 marked as "Moved, Left No Address" for any customer who has not filed a PS Form 3575. At this point, send all former CMRA customers' mail (except unendorsed USPS Marketing Mail and Bound Printed Matter) to CFS for processing.
- f. At some point in the future, if a customer who did not file a PS Form 3575 during the 10 business day hold period wishes to file one, accept it. The appropriate delivery person should then complete PS Form 3546, *Forwarding Order Change Notice*, modifying the original "Moved, Left No Address" order to the forwarding order now filed by the former CMRA customer. Advise the customer that any mail received up to this point was Returned-to-Sender and cannot be retrieved. Again, take the opportunity to advise this customer of the advantages to renting a Post Office box.

## 69 Dead Mail

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### 691 General

#### 691.1 Definition

*Dead mail* is matter deposited in the mail that is or becomes undeliverable and cannot be returned to the sender from the last office of address. Some reasons that mail cannot be returned to the sender include:

- a. Matter is nonmailable and subject to [139.117](#).
- b. Sender is unknown.
- c. Classification of the mail does not entitle it to return service.

#### 691.2 Opening and Examination

Except for unendorsed USPS Marketing Mail items, all undeliverable First-Class Mail, USPS Marketing Mail, and Package Services items that cannot be returned because of an incorrect, incomplete, illegible, or missing return address are processed at the Mail Recovery Center (MRC). Insured

First-Class parcels containing USPS Marketing Mail or Package Services enclosures (sent under DMM 503.4) are handled the same way. For other circumstances in which mail may be opened and examined, see ASM 274.2.

691.3 **Insured and COD Matter**

691.31 **Holding Period**

The Postal Service holds Insured Mail and COD mailpieces for 1 week after they become dead. On a weekly basis, send such pieces to the MRC.

691.32 **Articles Endorsed “Destroy” or “Abandon”**

Insured and COD matter endorsed by the sender “Destroy” or “Abandon” is destroyed or abandoned when such matter becomes dead at the last office of address.

691.33 **Refusal of Article by Sender**

If the sender of undeliverable Insured Mail or COD Mail refuses to accept its return, send the mail to the servicing MRC on the next weekly dispatch. For an Insured Mail article, electronic record management offices must scan/enter the article with the handheld scanner and enter the appropriate event code. Offices using the manual record management program should endorse PS Form 3849 to show the sender’s refusal. For a COD article, electronic record management offices must scan/enter the article with the handheld scanner, enter the appropriate event code, and endorse the attached PS Form 3816, *COD Mailing and Delivery Receipt*, to show refusal. Offices using the manual record management program should endorse the attached PS Form 3816 to show refusal and file the form with the delivery records.

691.4 **Items Loose in the Mail**

691.41 **Money**

Postal Service employees must dispose of money found loose in the mail as follows:

- a. Record U.S. money found loose in the mail, unless identified with losses from mail or returned to its owner, on PS Form 25, *Trust Fund Account*, and enter the amount in AIC 126, *Miscellaneous Nonpostal Revenue*. If a valid claim is received for money found loose in the mail after taken into the postal account, make the refund from current funds and enter the amount in AIC 624, *Refund of Miscellaneous Nonpostal Revenue*.
- b. Hold for 15 days, awaiting possible claim, all foreign money and any U.S. money of unusual value, such as uncirculated coins, antiques, or collector’s items if identified as such. If the money is unclaimed after 15 days, send it to the MRC service area.
- c. If a letter contains \$10 or more in money, convert the cash to a money order and deduct the money order fee before issuance of the money order.



**691.42 Uncanceled Stamps****691.421 Uncanceled Stamps Fallen Off Mail**

Postal Service employees must handle uncanceled stamps fallen off mail as follows:

- a. Reaffix the stamp to the mail if possible; if not, drop the stamp in a slotted and sealed or locked container kept on the workroom floor for that use.
- b. At least once a month, destroy stamps kept in these containers.
- c. Make no record of these stamps.

**691.422 Uncanceled Stamps Not Lost From Mail**

Postal Service employees must handle uncanceled stamps not lost from mail as follows:

- a. Place the stamps in an envelope and hold for 30 days in the claims section of the main office if found at main office or at contract stations or branches; if found at classified stations and branches, hold in the manager's care. Make a descriptive record on the envelope only if it helps in returning the stamps to the owner.
- b. If the stamps are unclaimed after 30 days, destroy them at the holding place in the presence of a witness designated by the postmaster. Record on PS Form 25 only the total amount of stamps received and destroyed. Destruction of unclaimed stamps should be done on a monthly basis.

**691.43 Other Items**

Return to the owners any wallets, bank deposits, or other nonmail matter found in collection boxes or other points within Postal Service jurisdiction, postage-due at the single-piece USPS Marketing Mail rates for these articles.

**691.44 Articles Separated From Envelopes**

The Postal Service tries to match articles found loose in the mail with their envelopes or wrappers. If the mailer or addressee can be identified, the articles are returned or forwarded.

**691.45 Unidentified Items**

Treat unidentified items of value (\$25 or more) as dead mail. Except for money (see [691.41](#)) and uncanceled stamps (see [691.42](#)), reuse for business purposes only, donate, recycle, or, as a last resort, dispose of as waste all unidentified items without value as follows:

- a. Recycle unendorsed USPS Marketing Mail if cost-effective.
- b. Donate (see [691.532](#)) or recycle periodicals (such as printed matter, newspapers, magazines, and other publications).
- c. If it is cost effective, strip coins from undeliverable circulars and account for their value (see [691.41a](#)).
- d. Stamp unidentified postal money orders "VOID" (location). Prepare a memorandum explaining the circumstances, and send the money orders and memorandum to the Money Order Branch, St. Louis Accounting Service Center.

691.5 **Disposal**691.51 **Undeliverable Merchandise to Manufacturer or Distributor**

Return merchandise postage due to the nearest retail store, mail order store, or distribution center of a firm if the following evidence of ownership exists and the firm does not object. Direct questions about return of merchandise to the appropriate RCSC. These conditions apply:

- a. The articles must appear new.
- b. Each article, or bundle of articles, must show the following:
  - (1) Name of the firm that made or distributed the articles.
  - (2) Order or invoice number, or other evidence that the article was mailed by the firm because of a customer's order.

691.52 **Perishable Items, Drugs, and Cosmetics**691.521 **Injurious Items**

The Postal Service destroys packages containing medicine, perishable items, liquids, and other articles likely to injure employees, damage equipment or other mail, or attract pests. Applicable guidelines are in Handbook AS-553, *Hazardous Waste Management*, and Publication 52, *Hazardous, Restricted, and Perishable Mail*.

691.522 **Noninjurious Items**

Dispose of other perishable mail, drugs, and cosmetics as follows:

- a. *Perishable Items*. The postmaster must sell immediately all salable perishable matter that cannot be forwarded or returned before spoiling, day-old poultry that cannot be delivered or returned within 72 hours after hatching, and other animals that cannot be returned to the sender alive. The addressee and postal employees may not purchase any such item from the postmaster. The postmaster must send the proceeds of the sale, less a 25 percent commission (but not less than 1 dollar) and the proper money order fee and postage to the mailer by postal money order, with an explanation on PS Form 3820, *Sale or Destruction of Perishable Mail*, of the action taken. Deliver all perishable articles or animals that cannot be sold to any public or charitable organization that will accept them. Also try delivering live animals to a local humane society or animal shelter that will take them.
- b. *Drugs*. Destroy packages that contain prescription drugs undeliverable to either the addressee or sender. Donate over-the-counter drugs that are sealed in their original packaging or container to public and charitable organizations, local food banks, shelters, or other nonprofit organizations that will accept them or destroy them if you cannot donate them. Turn over items suspected of containing illegal drugs to the Postal Inspection Service.
- c. *Cosmetics*. Donate undeliverable cosmetics that are sealed and unopened, including face and hand creams, soaps, perfumes, powders, lotions, and aftershave lotions, impartially and equitably to public and charitable organizations, local food banks, shelters, or other nonprofit organizations that agree to distribute them for free. If they are

not donatable, treat them as dead parcels. Destroy undeliverable lipsticks and cosmetics that might jeopardize health.

691.53 **Institutions**

691.531 **Food**

Donate usable food items treated as dead mail impartially and equitably to public or charitable organizations, food banks, shelters, or other nonprofit organizations. Follow these guidelines:

- a. Do not donate homemade items. Dispose of them as waste. If unsure whether an item is homemade or usable, destroy it.
- b. Make sure that the receiving organization signs a PS Form 6011, *Agreement for Acceptance of Food Items*, stating that it takes full responsibility for the handling and use of the food items. Keep releases on file for 2 years. The receiving organization must accept the food items available and pick them up in a timely manner.
- c. Destroy food items that cannot be donated by disposing of them as waste.

691.532 **Periodicals and Publications**

Follow these guidelines for disposing of periodicals and publications:

- a. Donate copies of undeliverable magazines, newspapers, and other periodicals impartially and equitably to public and charitable organizations, shelters, hospitals, prisons, schools, and libraries. If requested, furnish copies of undeliverable publications to a court officer for persons called for or assigned to jury duty.
- b. Provide publications to qualifying organizations under the condition that: (1) the recipients do not select the character, quality, or type of publication, and (2) the recipient calls for the copies promptly when notified or on a schedule. This privilege is at the option of the Postal Service and may be discontinued at any time without notice. Postal employees should inform the recipients of these conditions.
- c. If periodicals cannot be donated, recycle them if cost-effective.
- d. If they cannot be donated or recycled, dispose of them as waste.

691.533 **Merchandise and Product Samples**

Dispose of undeliverable merchandise and product samples, such as toiletries, toothpastes, diapers, and detergents, that are not endorsed "Return Service Requested" as follows:

- a. Donate undeliverable merchandise and product samples impartially and equitably to public and charitable organizations, food banks, shelters, or other nonprofit organizations that agree to distribute them for free.
- b. Dispose of as waste all samples not able to be donated.

691.54 **Government Property**

The MRCs send unclaimed government property with a National Stock Number (NSN) (a 13-digit number arranged in groups of 4-2-3-4, such as 1234-00-567-0089) imprinted on cartons, tags, or the item to the concentration point for return to the federal supply system.

691.55 **Foreign Mail**691.551 **Canadian**

The Postal Service encloses dead letters and parcels originating in Canada in an official envelope. The envelope must show the complete return address of the office returning the mail to Canada. Address the envelope to:

UNDELIVERABLE MAIL OFFICE  
CANADA POST CORPORATION  
1860 MIDLAND AVE UNIT 1  
SCARBOROUGH ONT M1P 2M0  
CANADA

691.552 **Other**

The Postal Service sends dead letters and parcels originating in countries other than Canada to the exchange office daily (see IMM 772). Do not send such mail to MRCs.

691.56 **Matter Mailed in Violation of Law or Treaty**

The Postal Service holds for 6 months after it becomes dead all matter of obvious value, including First-Class Mail not in the form of a letter, addressed to foreign countries if mailed in violation of law or treaty stipulation. (See IMM individual country listing prohibitions.)

691.57 **Firearms**

The Postal Service handles concealable firearms mailed contrary to DMM 601.8 under ASM 276. Hold dead mail containing firearms mailed under DMM 601.8 for the applicable holding period. Send this mail weekly by Registered Mail to the area MRC, along with a memorandum stating why the mail was not delivered and how it was determined that the shipment contained firearms.

691.58 **Disposition of Undeliverable Mail**691.581 **First-Class Mail, USPS Marketing Mail, and Package Services**

Send all First-Class Mail (except postcards and postal cards), USPS Marketing Mail, and Package Services mail that cannot be forwarded or returned to a MRC for disposition. Send dead letters daily and dead parcels weekly.

691.582 **Priority Mail Express**

After all attempts to deliver, forward, or return an Priority Mail Express shipment during the specified holding period are unsuccessful, send the shipment to the designated Mail Recovery Center (MRC) in an Priority Mail Express pouch.

691.583 **Postcards and Postal Cards**

Dispose of postcards and postal cards without a return address if the Post Office can shred or destroy them completely. If not, they should be forwarded to the area MRC.

691.584 **Abandoned or Unclaimed Nonmailable Matter — Inspection Service**

For mail detained pursuant to *Administrative Support Manual* (ASM) 274.31d, the Inspection Service will notify the sender and addressee of mailpieces reasonably suspected of containing nonmailable matter, including narcotics, as proscribed in Publication 52, *Hazardous, Restricted, and Perishable Mail*,

and provide the sender and addressee with a reasonable opportunity to claim the mailpiece or appeal the determination of nonmailability. If neither the sender nor the addressee claims or otherwise retrieves the mailpiece in a timely manner or appeals the determination of nonmailability, the mailpiece is deemed abandoned or unclaimed (i.e., “dead mail” under [691.1a](#)). Dead mail under this section may be opened or examined to verify the nonmailability of the contents, in accordance with ASM 274.21f. Nonmailable contents will be handled and disposed of in accordance with Postal Inspection Service procedures. A list or record may be made of mail abandoned or unclaimed under this section and used in accordance with Inspection Service procedures. Any contents determined to be mailable will be returned to the sender or forwarded to the addressee, if possible.

691.59 **Makeup and Dispatch**

691.591 **Marking**

Make sure that the reason for nondelivery is endorsed on dead mail when preparing it for final disposition. Stamp individual letters and parcels with a round date stamp.

691.592 **Makeup**

Make up the mail as follows:

- a. Depending on the quantity of mail, either neatly place dead letter mail in trays (half or full) or bundle mail and place it in an envelope or other shipping container.
- b. Place dead parcels in rolling containers (80 lb. hamper, etc.).
- c. Never place mail not intended for MRC in letter bundles, trays, sacks, or containers addressed or labeled to the Mail Recovery Center.

691.593 **Labeling and Addressing for Dispatch**

Address and label the mail for dispatch as follows:

- a. Address dead letter mail as: Mail Recovery Center, ATLANTA, GA 30378-2400.
- b. Address dead parcel mail as: Mail Recovery Center, ATLANTA, GA 30378-2400.
- c. Label all containers used for shipping (e.g., hampers, APCs, and BMCs). Label to include MRC address and shipping office.
- d. Where available, use preprinted central markup labels to forward mail to MRCs. Put the label on the top letter of the bundle, next to but not covering the original address. Affix a blue Label F, All for Firm, in the lower left corner of the top letter.
- e. When preprinted central markup labels are not available, use a blank sheet of paper to make a facing slip for letter bundles.

691.594 **Listing and Recording**

Do not make a list or record of dead mail sent to an MRC, except as follows:

- a. *Registered, Certified, Numbered Insured, and Delivery Confirmation Mail*. Electronic record management sites must scan/enter the article with the handheld scanner and enter the appropriate event code. Manual record management sites must complete delivery receipt,

show disposition, and file with other delivery receipts. Dispatch as registered all dead Registered Mail.

- b. **COD Mail.** Electronic record management sites must scan/enter the article with the handheld scanner and enter the appropriate event code. Manual record management sites must show disposition by endorsing PS Form 3816, *COD Mailing and Delivery Receipt*, and file the form with Returned-to-Sender records.

#### 691.595 **MRC Search**

When employees are inquiring about letters, flats, or parcels valued at \$25 or more on behalf of the customer, send an email to: MRC Search. A MRC Search form will be returned to the sender (employee) via email. The employee completes the MRC Search form and returns it via email to: MRC Search.

### 692 **Mail Recovery Centers**

#### 692.1 **Dead Letter and Parcel Mail**

##### 692.11 **Addresses**

The MRC address to send administrative mail is as follows:

ATLANTA MAIL RECOVERY CENTER  
U.S. POSTAL SERVICE  
PO BOX 44161  
ATLANTA, GA 30378-1161

The MRC address to send undeliverable mail is as follows:

ATLANTA MAIL RECOVERY CENTER  
U.S. POSTAL SERVICE  
5345 FULTON INDUSTRIAL BLVD. SW  
ATLANTA, GA 30378-2400

##### 692.12 **Opening Letters**

As technologically feasible and depending on certain criteria, the MRC opens and may retain undeliverable letters for further processing. When possible, contents are returned.

##### 692.13 **Letters With Nonmailable Matter**

##### 692.131 **Nonmailable Lottery Matter Except Nonmailable Unsealed Foreign Lottery Matter**

Destroy, by shredding only, letters of domestic origin and sealed mail of foreign origin (see ASM 274), lottery tickets, chance books, and so forth, only if nonmailable under DMM 601.9.

##### 692.132 **Unsealed Foreign Nonmailable Lottery Matter**

Post Offices should dispose of unsealed mail of foreign origin that contains nonmailable lottery matter (see DMM 601.9) as follows:

- a. When the sender is identified as the respondent in an outstanding foreign lottery order (see the *Postal Bulletin*), dispose of the mail under DMM C030;

- b. When the sender is not so identified, forward a sample of the mailing to the manager of Fraud and Prohibited Mailings, for action under 39 U.S.C. 3005. Do not process for delivery other unsealed mail from the same sender, pending *Postal Bulletin* notification of a foreign lottery order against the sender, or until General Counsel sends other instructions. The address for Fraud and Prohibited Mailings is as follows:

MANAGER  
FRAUD AND PROHIBITED MAILINGS  
US POSTAL SERVICE  
475 L'ENFANT PLAZA SW  
WASHINGTON DC 20260-2166

692.133 **Other Nonmailable Matter**

If the address of the sender (or addressee) is found, return the mailable contents to the sender (or forward it to the addressee), and destroy nonmailable matter.

692.14 **Opening Parcels**

The MRC opens dead parcels to find the name and address of the addressee or sender and to deliver or return that person's property. If parcels are endorsed to show that they are Postal Service property, or that the sender has refused to pay postage due on return as undelivered, the parcels are Postal Service property. Dispose of the parcels as follows:

- a. Return a dead parcel to the sender. Deliver it to the addressee if only the addressee's name and address are found. Rate the parcel for postage due at the zone rate from the MRC.
- b. If the sender or the addressee cannot be determined, hold the following for 30 days from receipt at the MRC: Priority Mail (flats or parcels), USPS Marketing Mail, and Package Services mail containing valuables. Hold the following for 60 days from receipt at the MRC: Insured and Registered parcels. Hold the following for 60 days from receipt at the MRC: First-Class Mail not in the form of a letter addressed to another country; if item is posted in violation of law or treaty, hold for 6 months. (See IMM Individual Country Listing Prohibitions.)

692.15 **Disposal of Parcels Containing Firearms and Ammunition**

The following terms apply to the disposal of firearms and ammunition:

- a. *Definition.* The term *firearms* means any weapon, by whatever name known, designed to expel a projectile or projectiles by the action of an explosive; any firearm muffler or silencer; or any part or parts of such weapon.
- b. *Sale.* The Postal Service sells firearms -other than pistols, revolvers, short-barreled rifles or short-barreled shotguns -only to licensed firearms dealers. When these items accumulate, notify local firearms dealers of the intended sale of all items as a single lot, by sealed bid. Display and sell the items to the dealer submitting the highest bid.

692.16 **Disposal of Other Dead Parcels**

The Postal Service disposes of unclaimed items by sale at auction. Hold auctions periodically and advertise them to the public. Obtain information on auction sales from the MRC conducting the sale.

692.17 **Postal Service Employee Ineligibility**

Postal Service employees may not directly or indirectly buy any dead mail material.

692.2 **Postal Inspection or Office of Inspector General Use**

Withdraw items, other than the contents of mail sealed against inspection, from the MRC only for official use by postal inspectors or the Office of Inspector General (OIG). The Inspectors or OIG must give memorandum receipts for the articles withdrawn. Keep these receipts on file in the MRC and return them when the goods are returned for disposal as dead parcels.

692.3 **Postal Service Systems and Training Use**

The following restrictions apply to the use of USPS Marketing Mail:

- a. *General.* Only undeliverable USPS Marketing Mail may be used for developing and testing Postal Service equipment and systems or for training Postal Service employees, under [692.3b](#) and [692.3c](#). Obtain authorization from the Business Mail Entry manager.
- b. *Submitting Requests.* Submit requests for authorization in writing and with all of the following:
  - (1) The purpose of testing or training and use of the mail.
  - (2) The type of undeliverable mail and volume required.
  - (3) The period during which required.
  - (4) The proposed source and arrangements for delivery of the mail to the contractor or Postal Service employee conducting the equipment test.
  - (5) The security of mail during the training or testing period.
  - (6) The arrangements for mail disposal after testing or training.
- c. *Information on Outside Cover.* The name and address and other information on the outside cover of undeliverable mail must be kept confidential. Also confidential is any information about the contents of mail to the extent that such information may be associated with a customer (see ASM 274). A private contractor or Postal Service employee performing testing or training may not use the mail to permit any such confidential postal information to be disseminated or disclosed to anyone. This prohibition includes, but is not limited to, photographic or other reproductions or copies of the actual wording. The mail (and reproductions or copies of the information on its cover) may be used in testing or training but not in reports or other material that can be disseminated outside the Postal Service.



**692.4 Treatment of Mail Forwarded From MRCs****692.41 General Standards**

The Postal Service follows these procedures for delivery of returned dead mail:

- a. Treat unsealed mail as if under seal. Keep the strictest secrecy concerning its contents.
- b. If the mail cannot be delivered within a reasonable time after return from the MRC, endorse the reason for nondelivery on the form that accompanies the mail. Return the mail and the form to the sending MRC under the same class by which received.

**692.42 Registered Mail**

In addition to the standards in [692.41](#), Registered Mail is handled as follows:

- a. When received under registered cover, handle in the claims and inquiry section or in some other section by an employee designated by the postmaster. Do not allow the registry section to open and dispose of this mail.
- b. If the address is supplied, register the item to the owner under the local registry number.
- c. Enter the registry number on the form that accompanies the dead mail. File the form.
- d. Register the item when forwarding it to another address or returning it to the MRC



# 7 Postal Vehicle Service

## 71 Introduction

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### 711 General

#### 711.1 Scope of Material

This chapter covers in a general way the following:

- a. Operating policies and procedures for USPS drivers and vehicles.
- b. The maintenance and repair of USPS-owned vehicles. (See 713.1 for definitions.)

#### 711.2 Purpose and Scope

This chapter sets forth the major policies governing the operation of postal-owned, mail-hauling vehicles operating in the postal vehicle service (PVS). It also includes the operation of leased vehicles. Detailed instructions are contained in Handbook PO-701, *Fleet Management*, and Handbook PO-702, *Accident Investigations — Tort Claims*.

#### 711.3 Scope of Fleet Management/Fleet Operations

Fleet operations encompass local transportation operations, new vehicle requests, vehicle hire, vehicle assignment, vehicle utilization and requirements, accident investigation, dock and maneuvering area design, traffic flow, container operations, and driver training.

### 712 Policies and Practices

#### 712.1 General

There are a number of policies and practices that the Postal Service™ adheres to that all managers must be aware of and implement as appropriate. Postal vehicle service responsibilities consist of assigning vehicles, administering vehicle leases, street supervision of vehicles, vehicle safety, PVS accident investigation, vehicle utilization optimization, vehicle accounting and data collection, budgets, fleet performance indicators, identification of surplus vehicles for disposal, and labor relations.

#### 712.2 Fleet Maintenance

Fleet maintenance encompasses organization and management controls; maintenance standards and schedules; equipment, parts, supplies, and fuel;

operating and budget records; and vehicle maintenance facility (VMF) management. Related definitions are as follows:

- a. *Vehicle Maintenance Facility (VMF)*: A postal facility engaged in the repair and maintenance of USPS-owned vehicles.
- b. *Auxiliary VMF*: A detached vehicle maintenance and repair unit functioning in supportive capacity to VMF.
- c. *Vehicle Post Office*: A Post Office or other operating unit which has USPS-owned or hired vehicles.
- d. *Perimeter Office*: A Post Office or other operating unit which has USPS-owned or hire vehicles but which does not have management authority over a VMF. However, every perimeter office is assigned to a specific VMF for technical guidance and support on maintenance matters.

#### 712.3 **Warranties and Modifications**

The Postal Service uses the warranty provisions of the vehicle purchase contract to the fullest extent possible. The vehicle maintenance facilities (VMFs) are responsible for exercising the various provisions. Maintenance work under warranties must be restricted to the stated (written) warranty provisions. Modifications to vehicles are prohibited unless explicitly approved by Fleet Management, Headquarters. This includes changing any manufacturer-installed equipment or accessories.

#### 712.4 **Vehicle Emissions and Fuel Consumption**

The Postal Service complies with the provisions of the Clean Air Act and practices fuel conservation. No one, postal employee or contractor, may change or make inoperative any emissions control device installed on any vehicle owned or leased by the Postal Service, except if authorized by Fleet Management, Headquarters. Properly maintained vehicles will achieve maximum fuel economy. Maximize vehicle utility by monitoring individual driver and vehicle performance, and by reviewing regular Preventive Maintenance Service schedules.

#### 712.5 **Vehicle Appearance**

The clean and uniform appearance of postal vehicles is essential to projecting a positive image of the Postal Service. Postal vehicles must be washed as needed, but not less than once each month. Vehicles must be constantly scrutinized by managers at all levels for paint deterioration; missing, torn, or faded markings; and corrosion or damage to the body. Managers should schedule immediate repairs, as needed.

#### 712.6 **New Product Testing**

To maintain efficient operations it is necessary to know of and evaluate new products to determine their value in Postal Service operations. Control of all testing of all new products (accessories, additives, vehicle components, etc.) resides with Headquarters (Engineering and Fleet Management).

## 713 Vehicles Used By USPS

### 713.1 Postal Vehicle Service

PVS vehicles are under the jurisdiction of managers at designated offices. They are operated by USPS personnel and consist of the following:

- a. USPS-owned vehicles: vehicles purchased by the USPS.
- b. Hired vehicles: vehicles hired by the USPS, either from one of the following:
  - (1) Commercial sources.
  - (2) Letter carriers.

### 713.2 Highway Contract Service

These vehicles are managed and operated by contract personnel, as described in part 531, Highway Contract Routes. Contract vehicles are not covered by the USPS fleet management program except as follows:

- a. When turned over to the USPS for unloading mail at its destination (see [734.111](#), item b).
- b. When they require emergency maintenance (see [741.1](#)).

## 714 Motor Vehicle Service

Motor Vehicle Service (MVS) is a specific category of vehicle service. It pertains only to vehicle movement of bulk quantities of mail. This is distinct from other vehicle operations, such as vehicle movement of mail by letter carriers for delivery and collection.

Note the following:

- a. MVS vehicles are usually very large vehicles, some weighing more than 5 tons.
- b. MVS drivers are motor vehicle craft employees rather than letter carriers, etc. (see also [722.1](#)).

## 715 Vehicle Personnel/Perimeter Offices

The position of vehicle operations maintenance assistant (VOMA) may be authorized at a perimeter office and is approved by the manager, Fleet Management. The VOMA administers the vehicle operations and maintenance program.

## 716 Vehicle Responsibilities

### 716.1 Headquarters

The Office of Vehicle Operations develops vehicle operating and maintenance programs, standards, and criteria for guidance of field personnel.

### 716.2 Areas

The Manager, Transportation Networks, of each Area is responsible for the following:

- a. Enforcing the policies and directives issued by the Office of Surface Operations.
- b. Reporting to the Office of Surface Operations at Headquarters all items which have an impact on the operation and maintenance of vehicles.

### 716.3 **Manager, Fleet Operations**

The Manager, Fleet Operations, is responsible for vehicle maintenance, budget management, manpower control, and driver training (see Handbook PO-701) for the VMF Post Office to which he/she reports.

### 716.4 **Drivers**

Every USPS driver, regardless of craft or position, is responsible for the following:

- a. The proper care and handling of vehicles, in his custody by following the rules in [724](#).
- b. Immediately informing his supervisor of the revocation or suspension of his state driver's license.

## 72 Responsibilities

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### 721 **Headquarters and Areas**

#### 721.1 **Headquarters**

Headquarters establishes policy, provides administrative support, and furnishes technical guidance for Postal Service vehicle service. Policies and procedures are directed to concerned persons at the areas and districts before implementation by field personnel at Processing and Distribution Centers (P&DCs), Processing and Distribution Facilities (P&DFs), and Network Distribution Centers (NDCs).

#### 721.2 **Areas**

Within the area, the manager, Distribution Networks (DNs), has responsibility for coordinating transportation and providing vehicle contracting and postal vehicle service oversight to the P&DCs, P&DFs, and NDCs.

### 722 **Drivers and Driving Requirements**

#### 722.1 **Driver Categories**

##### 722.11 **Vehicle Drivers**

Most drivers of PVS vehicles (see [713.1](#) for definition) fall into two broad categories as follows:

- a. Letter carriers who drive vehicles to deliver and collect mail.
- b. Motor Vehicle Service (MVS) drivers who transport bulk quantities of mail. MVS drivers are motor vehicle craft employees.

There are two divisions as follows:

- a. Motor vehicle operators: drive all Postal Service vehicles except tractor-trailers and spotter tractors.
- b. Tractor-trailer operators: drive tractor-trailers and spotter tractors.

#### 722.12 **Equipment Drivers**

Equipment drivers drive rider-operated industrial mobile equipment, such as fork lifts.

### 723 **Driver Licensing**

#### 723.1 **Applicability**

Driver licensing provisions apply to all offices which have motor vehicles or rider-operated industrial mobile equipment operated by USPS personnel.

#### 723.2 **Minimum Requirements**

Any applicant for a driving position must meet the following minimum requirements:

- a. Be 18 years old or more.
- b. Have a valid state driver's license issued by the state in which the installation is located or the state in which the applicant currently resides.
- c. Have his past driving record verified.
- d. Postal Service employees routinely receive and must respond to Inquiries from supervisors and customers. Employees must therefore have a basic competence in speaking and understanding English.

#### 723.3 **Driving Privileges/General Regulations**

No employee may drive any vehicle or equipment on official business until he has qualified for and has been granted driving privileges.

### 724 **Driving Rules**

#### 724.1 **Vehicle Post Offices**

At Vehicle Post Offices (VPOs), the postmaster is responsible for the safe, efficient, and economical operation and maintenance of assigned postal-owned or -leased vehicles, under the guidance of personnel from the district and Fleet Management.

#### 724.2 **Passengers**

National policy on passengers is reflected in the appendix of Handbook EL-801, *Supervisor's Safety Handbook*. It reads as follows: "Only authorized passengers are permitted to ride in postal owned, GSA owned, rental or contract vehicles (including employees' privately owned vehicles when used in postal operations). All passengers must use seatbelts. Where conventional passenger seats have not been provided in the vehicle, an approved auxiliary seat, facing forward, and equipped with a backrest and seatbelt must be used. Sitting in other than an approved seat or standing in a postal vehicle while the vehicle is in motion is prohibited."

**724.3 Repair Tag**

Drivers must check defects requiring attention on PS Form 4565, *Vehicle Repair Tag*, and indicate possible trouble, if known.

**724.4 Emergency Kits/Fire Extinguishers**

Emergency warning device kits and fire extinguishers (see DOT Standard 125) may be carried on any vehicle, but must always be carried on vehicles with 1 ton or more capacity used in the following services:

- a. Postal Service-owned motor vehicles regularly scheduled for intercity and airport runs.
- b. Postal-owned motor vehicles regularly scheduled for use as wreckers.
- c. Private, hired, contract, or leased motor vehicle equipment operated by Postal Service personnel or by the owner or lessor.

**724.5 Accident Reports**

Standard Form 91 (SF-91), *Operator's Report of Motor Vehicle Accident*, must be as follows:

- a. Carried in every motor vehicle owned or operated by the Postal Service and by each employee using a bicycle or light vehicle.
- b. Filled out by the driver of any vehicle involved in an accident. See also 736.

**725 Driver's Training****725.1 Responsibility**

The fleet operations manager and district safety manager are responsible for driver training and maintenance of driving records. The manager, Fleet Operations, must coordinate the training with the district safety manager to assure that the training is most effective and economical.

**725.2 Types of Training**

Types of driver training include the following:

- a. Initial driver training.
- b. Driver improvement training for all licensed drivers.
- c. Remedial driver training.

**725.3 Driver Instruction**

The person selected to provide driver instruction must be certified as proficient in the operation of all vehicles on which he/she will give instructions.

**725.4 Motor Vehicle Service**

MVS drivers (see [722.11\(b\)](#) for definition) may need special training in the loading, securing, and unloading of containers full of mail or empty equipment. For further information on this subject, see the following:

- a. Handbook PO-701, *Fleet Management*.
- b. Handbook PO-502, *Container Methods*.



**725.5 Fuel Conservation**

Each trainee must be thoroughly schooled in how to conserve fuel while operating a motor vehicle.

**725.6 Reference**

Details of training for all employees who must drive vehicles are specified in Handbook PO-23, *Orientation and Craft Skill Training*, and/or any future handbooks that replace Handbook PO-23.

**726 Driver Contest and Awards**

Awards provide incentives to both management and driver to improve accident prevention and safe driving. The Postal Service participates in the following:

- a. The annual award for Meritorious Performance in Motor Vehicle Safety.
- b. The National Safety Council's National Fleet Safety Contest.
- c. The National Fleet Safety Council's Safe Driver Award.

## 73 Vehicle Types, Safety, and Maintenance

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**731 Vehicle Operations/Requests for Vehicles****731.1 Types of Vehicles in Service****731.11 Cargo Vans, Tractors, Spotters, and Trailers**

Cargo vans (7-, or 11-ton trucks), tractors, and trailers are used to transport bulk mail between P&DCs, P&DFs, AMCs, NDCs, stations and branches, and associate offices. Spotters are used to move trailers within an NDC yard operation.

**731.12 Hired Vehicles**

Various sized vehicles are occasionally leased by the Postal Service from commercial leasing firms and employed for mail-hauling purposes. Contact your servicing purchasing organization for details.

**731.13 New Vehicles**

When new vehicle requirements cannot be met by the existing assigned fleet, submit PS Form 4515, *Vehicle Assignment Justification and Request*, in accordance with Headquarters current policies and procedures.

**732 Driving and Safety Requirements****732.1 Postal Vehicle Service versus Highway Contract Service****732.11 Types of Service**

There are two general types of vehicle service: Postal Vehicle Service and Highway Contract Service. (See [713](#) for definitions.)

**732.12 Vehicle Care and Operation**

All drivers of postal-owned and -leased vehicles are responsible for the proper care and handling of vehicles in their custody. Employees are financially liable for loss or damage caused by willful or deliberate misconduct.

**732.13 National Agreement Provisions**

The provisions of Article 32.2.F govern the subcontracting of transportation and states: "For all routes for which the Union submitted a cost comparison, if a contract is awarded, the Union will be furnished the cost of such contract."

**732.2 Traffic Laws**

Employees driving any vehicle in performance of postal duties must obey all federal, state, and local traffic laws at all times. Postal-owned or -leased vehicles have no special right-of-way over private vehicles.

**732.3 Safe Driving**

Employees are responsible for the safe operation of any vehicle used while on duty. Managers must emphasize in their daily operation that safety is everyone's responsibility and must not be compromised. (For more details, see Handbook PO-701, chapter 2; ELM 827; and Handbook EL-801, *Supervisor's Safety Handbook*.)

**732.4 Vehicle Schedules**

The Operations manager(s) is responsible for the following:

- a. PVS schedules to meet delivery and mail processing requirements.
- b. PS Form 4533, *MVS Schedule*, for all intra-city and/or intercity service performed by PVS or letter carrier.

**732.5 PVS Accident Investigations**

Immediate and complete on-the-scene investigations by the PVS are required for all accidents involving employees and vehicles. Accidents involving vehicles assigned to Customer Service and Sales will be investigated and processed by Customer Service and Sales or their designated representative. Since even the slightest accident may ultimately result in litigation against the Postal Service, such litigation must be anticipated. Detailed instructions for accident investigation are provided in Handbook PO-702, *Accident Investigations — Tort Claims*.

**733 Vehicle Dispatching****733.1 Vehicle Accounting**

The Solution for Enterprise Asset Management (SEAM) is a cost-accounting system providing operating cost per vehicle, per mile, and per hour. Also reported is the cost of maintenance and repair, vehicle depreciation, parts, and fuel usage. Additional information is provided on vehicle use and inventories. This system, operated by Vehicle Maintenance Facilities (VMFs),

is available to all transportation managers to assist in decision making for efficient transportation operations.

### 733.2 **Two-Way Radio Control**

Managers of offices with tractor-trailer operations and nonscheduled service may request installation of two-way radio equipment. The decision is made locally.

## 734 **Inspections and Reports**

### 734.1 **Vehicle Reassignment and Disposal**

#### 734.11 **Inspection of Hired Vehicles**

##### 734.111 **Policy**

USPS personnel must inspect all hired vehicles and vans any time they are turned over to USPS custody.

Note the following:

- a. For vehicles which are hired by the USPS, use PS Form 4577, *Leased Vehicle Condition Report*.
- b. For contract vans turned over to the USPS for the unloading of mail, use PS Form 5201, *Mail Van Inspection*.

##### 734.112 **Procedure**

Both forms must be prepared in triplicate. The procedure is the same as follows:

- a. On Receipt. When accepting vehicle or van, make an inspection and do the following:
  - (1) Enter any defects noted during inspection.
  - (2) Sign the form and obtain signatures of owner's representative attesting to condition as recorded on form.
  - (3) Retain original and first copy and give second copy to owner's representative.
- b. On Return. When returning vehicle or van, again make an inspection do the following:
  - (1) Note any new damage; or state that no new damage occurred.
  - (2) Sign the form and obtain signature of owner's representative to verify observations.
  - (3) Return original to file and give first copy to owner's representative.

### 734.2 **Reassigning Excess Vehicles**

Postmasters and installation heads must identify to the manager, Vehicle Maintenance Facility (VMF), any vehicles determined to be excess to the needs of the function to which the vehicle is assigned. The manager, VMF reassigns the vehicles to meet valid requirements within the service area, and notifies the manager, Vehicle Operations (MVO) of vehicles that are excess to the needs of the service area. The area MVO then reassigns the vehicles (except excess Postal Vehicle Service (PVS) vehicles, (i.e., truck tractors,

spotter tractors, cargo vans, or trailers) to meet valid requirements within the area, and notifies Headquarters Fleet Management (FM) of remaining excess vehicles. FM will reallocate excess non-PVS vehicles to other areas as appropriate, and will contact Headquarters Surface Operations for authorization of any PVS vehicle reassignments.

For more information, refer to Handbook PO-701, *Fleet Management*, chapter 7, which is accessible on the Postal Service PolicyNet Web site at <http://blue.usps.gov/cpim>; click *HBKs*.

#### 734.21 **Utilization Reports**

Vehicle Post Offices must document use of all Postal Service-owned and -hired vehicles on PS Form 4570, *Vehicle Time Record*, or use approved current electronic data collection programs and use PS Form 4570/or approved program as a source document to complete utilization reports and submit the information to the office's assigned VMF.

#### 734.22 **Disposing of Excess Vehicles**

A vehicle must meet at least one of the following criteria for disposal:

- a. The vehicle has been replaced.
- b. The vehicle is uneconomical to repair.
- c. The vehicle is no longer needed within the Postal Service.

If a vehicle meets at least one of these criteria, the manager, VMF must dispose of surplus vehicles by one of the following methods (unless Headquarters issues vehicle-specific instructions):

- a. Sales (eBay online auction, fixed-price sale, or auction sale).
- b. Vehicle cannibalization/scrap.
- c. Authorized donation.

For more information, refer to Handbook PO-701, *Fleet Management*, chapter 7, which is accessible on the Postal Service PolicyNet Web site at <http://blue.usps.gov/cpim>; click *HBKs*.

### 735 **Accident Investigation**

#### 735.1 **General**

#### 735.11 **Policy**

The USPS investigates all accidents involving USPS-operated vehicles.

#### 735.12 **Responsibility**

The driver must complete SF-91 (see [724.5](#)). The postmaster or official in charge is responsible for the onsite investigation of all accidents occurring within his area or involving his employees and vehicles.

#### 735.13 **Counsel**

USPS personnel involved in accidents occurring in line of official duty which result in court action may be defended in all cases, both civil and criminal.

## 736 **Equipment, Supplies, and Fuel**

### 736.1 **General**

The costs for equipment, operating supplies, fuel, and lubricants are included in annual VMF budgets through Customer Service channels. Handbook PO-701, *Fleet Management*; the *Purchasing Manual*; and Vehicle Maintenance Bulletins contain additional procurement information.

### 736.2 **Equipment**

Fleet Management (FM) is responsible for budgeting for specialized capital equipment to meet operations or environmental requirements. Equipment for Postal Service vehicle service operations purposes include lift gates, radios, and so forth.

### 736.3 **Fuel**

All Postal Service employees must use self-service pumps when fueling postal-owned or -leased vehicles at commercial retail outlets and automated VMF fueling stations. The only exception to this policy is in communities that do not have self-service fuel pumps or in states that prohibit them. However, should self-service fuel pumps become available, or if a state changes its laws, postal personnel must immediately change to the self-service pumps. Local VMF management must establish a program for checking oil, water, and other fluids at least weekly, and replenishing them as needed.

## 737 **Fleet Maintenance**

The VMF is responsible for providing quality and timely maintenance to the Postal Service fleet as outlined in the guidelines established by Fleet Management, Headquarters.

## 738 **Vehicle Maintenance Objective**

The objective of the vehicle maintenance program is to insure safe, dependable, and economical performance of USPS-owned vehicles at minimum cost and minimum vehicle downtime. Achievement of this objective requires an emphasis on preventive maintenance rather than on repair of deficiencies. Preventative maintenance provides for scheduled lubrication and examination of all vehicles in accordance with established standards, at prescribed intervals.

## 739 **Maintenance Organization**

### 739.1 **Definitions**

The USPS maintenance organization is based on the concept of the vehicle maintenance facilities (VMFs). See [712.2](#) for related definitions.

### 739.2 **Establishment**

Guidelines for the establishments, acquisition, or enlargement of maintenance facilities appear in Publication 190, Capital Investment Policies and Procedures; Publication 191, Capital Investment Implementation Instructions; and Handbook PO-701, Fleet Management.

**739.3 Staffing**

VMF staffing is based upon planned repair work and is established only in accordance with demonstrated need. VMF staffing must follow established guidelines by the Area. See also [715](#).

## 74 Vehicles Serviced (or Vehicle Service Policy)

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**741 USPS-Owned Vehicles-Full Service**

The vehicle maintenance program is intended to provide complete maintenance and repair service only for USPS-owned vehicles. VMFs are not staffed to perform service for other vehicles, except as provided in [741.1](#).

**741.1 Contract Vehicles-Emergency Service Only**

VMFs may perform service for contract vehicles only on infrequent occasions when a bona fide emergency arises. If necessary to prevent serious delay to mail, on-duty USPS employees may repair a minor defect that causes a contract vehicle breakdown near a VMF but remote from the contractor's establishment or public repair facilities. When emergency repairs are necessary, all documents must be properly coded and parts accurately priced.

**741.2 Private Vehicles-No Service**

Under no circumstances may on-duty USPS personnel make repairs to private vehicles, except contract vehicles. This restriction also applies to private vehicles formerly owned by the USPS. (Once Standard Form 97-A, Agency Record Copy of the US Government Certificate of Release of Motor Vehicle, has been issued, the vehicle must be classified as a private vehicle.)

**742 Types of Maintenance****742.1 Scheduled Maintenance**

Scheduled maintenance examinations allow deficiencies to be discovered and necessary repairs to be made when still minor in nature. This reduces the necessity for expensive, time-consuming major repairs. It also reduces vehicle operations costs. Preventing a failure is less costly than correcting it after it occurs.

Note the following:

- a. Scheduled maintenance examinations and generated repairs must be performed at such times that results in the least possible interruption of regular mail transportation or delivery.
- b. Work schedules of maintenance employees must be arranged to provide the greatest number of man-hours to coincide with the periods in which vehicles are not normally in use.

**742.2 Repair Maintenance**

Repair maintenance consists of all repair actions resulting from malfunctions, road calls, and other abnormal breakdowns which are not corrected during scheduled maintenance examinations.

**742.3 Commercial Maintenance****742.31 Criteria**

In general, commercial maintenance and repair services should be considered whenever economically advantageous to the USPS. This may include the following:

- a. Minor repair work and lubrication for USPS-owned vehicles assigned to any office
- b. Maintenance and repair of USPS-owned vehicles assigned to perimeter offices provided the estimated cost does not exceed the limit. (See [742.32](#).)
- c. Special service work, such as upholstery repair, glass installation, recapping, and subassembly rebuilding (Note: GSA contracts are given primary consideration.)
- d. Vehicle painting which cannot be done by USPS facilities with suitable equipment and qualified personnel.

**742.32 Restriction**

When the estimated contract repair of a perimeter office vehicle exceeds the amount stated in Handbook PO-701, the responsible manager must contact the VMF to which he is assigned for technical advice and to determine where work is to be performed.

**743 Policies and Practices****743.1 Modification Restriction**

No changes whatever may be made in the construction of a vehicle. The standard equipment furnished by the manufacturer shall not be changed or altered, nor shall any special devices used. Any request to increase the mechanical or operating efficiencies of the equipment, such as reduced driver time, greater vehicle utilization, or increased safety shall be brought, through channels, to the attention of the Office of Vehicle Operations for consideration.

**743.2 Vehicle Appearance**

A clean and orderly appearance of the USPS fleet is an indicator of good maintenance management and is essential to the USPS image. Consequently, vehicles should be constantly scrutinized for paint deterioration and body damage.

Note the following:

- a. A vehicle should be completely repainted only when the original paint cannot be restored by normal cleaning or polishing practices.

- b. If polishing does not restore luster to only one of the colors, then repainting of that color should be scheduled. Paint touch-up on an as-needed basis prevents exterior body deterioration.
- c. Repairs of minor body damage should be accomplished on the schedule maintenance service.



# 8 Special Services

## 81 Special Mail Services

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### 811 Delivery Records for All Signature Mail

#### 811.1 General

Electronic record management sites must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner for all accountable and signature mail. This includes scan events for items other than delivery (such as attempts, forwards, etc.). See Handbook PO-610, *Signature Capture and Electronic Record Management: Manager's Guide to Standard Operating Procedures*, for a list of applicable scan events.

All signatures for Registered Mail™, Insured Mail over \$500, Certified Mail™, COD Mail, Priority Mail Express®, Signature Confirmation™, Return Receipt for Merchandise, and other signature services will be captured on PS Form 3849, *Delivery Notice/Reminder/Receipt*, which will be linked to the mailpiece and serve as the delivery record. Delivery records from electronic record management offices will be stored electronically and will be accessible via the Postal Service™ Intranet. Delivery records from offices using manual record management will be manually stored according to local office procedures.

#### 811.2 Filing of Delivery Records

Handle delivery records as follows:

- a. Electronic record management sites: Dispatch all signed PS Form 3849 with mail to be forwarded via pouch to the Computerized Forwarding System (CFS) site serving your office. At the CFS site, the PS Form 3849 will be optically scanned and the records stored in the Product Tracking System (PTS).
- b. Manual record management sites: File PS Form 3849 in the consolidated file by the last 2 digits of the article number. If the quantity accumulated over the filing period is fewer than 200, use the last digit only for breaking the file. File PS Form 3883 alphabetically by the name of the firm (addressee) and the date of delivery. Delivery receipts for items returned to senders must be filed with delivery receipts for packages delivered to addressees.
- c. As an option, offices with a large volume of PS Form 3849 should consider filing these receipts using a 3-digit sort. This greatly speeds search time and may be done in the following way: Offices that file

delivery records centrally should request that their stations and branches sort these forms into 10 separations, by the last digit of the article number, before sending them to the central filing location. When these are received at the central filing location, the forms should then be separated in a 100-hole case, using the second- and third-from-last article numbers for each of the original 10 separations made at the station or branch. The forms should then be filed by the 3-digit sort for future reference.

### 811.3 Retention of Delivery Records

Delivery records will be maintained as follows:

- a. Electronic record management: Delivery records maintained electronically will be stored as follows:
  - (1) A delivery record will be maintained in the active database for 6 months after the delivery date. A record in the database may be accessed immediately via a query from the Postal Service Intranet.
  - (2) A delivery record will be maintained in the archive database after 6 months until the end of the retention period (as stated in ASM 351). These records are not immediately accessible. Upon completion of the archive search, a response will be provided to the customer.
- b. Manual record management: Delivery records maintained manually follow retention periods as stated in ASM 351.

### 811.4 Retrieval of Delivery Records

Delivery records for extra services are available as follows:

- a. Information by article number can be retrieved at <http://www.usps.com> or by calling 1-800-222-1811. A proof of delivery letter (including recipient's signature, when available) may be provided by email.
- b. Bulk proof of delivery allows mailers using privately printed labels to receive proof of delivery signature data electronically. The proof of delivery records are sent in a signature extract file format. Bulk proof of delivery records are available to mailers meeting the standards provided in Publication 199, *Supplement for Bulk Proof of Delivery Services*, available on RIBBS.
- c. A return receipt (hardcopy PS Form 3811) may be purchased at the time of mailing and is received by mail.

There are four possible electronic delivery record responses. They include the response as shown here with signature data; delivery record found with no signature data; no delivery record found; or unable to limit search due to duplicate label IDs.

### 811.5 Forms of Identification

For acceptable primary and secondary forms of identification see [131.3](#).

Exhibit 811.5

**Electronic Delivery Record Response**

Date: March 30, 2000

JOHN DOE  
PO BOX 12  
ANYTOWN US 55555-5555

Dear John Doe:

The following is in response to your March 29, 2000, request for delivery information on your certified mail item number 7099 7856 4563 7869 9182. The delivery record shows that this item was delivered on March 20, 2000, at 10:31 a.m. The scanned image of the recipient information is provided below.

Signature of Recipient:

*Mark Olson*  
*M Olson*

Address of Recipient:

*11 Deming Dr.*

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

## 812 Registered Mail

### 812.1 Fees and Liability

See Notice 123, *Price List*.

### 812.2 Sender's Declaration

#### 812.21 Value

The sender must tell the Postal Service clerk (or enter on the firm mailing bill if a firm mailer) the full value of mail matter presented for registration.

#### 812.22 Examples

Kind of Mail Matter	Value to Be Declared
Negotiable instruments - instruments payable to bearer, including stock certificates endorsed in blank.	Market value - all values are based on the value at the time of mailing.
Nonnegotiable instruments — all registered bonds, warehouse receipts, checks, drafts, deeds, wills, abstracts, and similar documents. Certificates of stock are considered nonnegotiable so far as declaration of value is concerned unless they are endorsed in blank.	No value, or replacement cost if postal insurance coverage is desired.*
Money.	Full value.
Jewelry, gems, precious metals.	Market value or cost.
Merchandise.	Market value or cost.
Nonvaluables - matter not having intrinsic value such as letters, files, records, etc.	No value, or replacement cost if postal insurance coverage is desired. *

\* Mailers who do not know replacement costs should contact a person or firm familiar with such documents and determine replacement costs before the articles are mailed.

#### 812.23 Official Mail

Government agencies or officials must declare the value of the matter presented to ensure proper care (see [812.261](#)).

#### 812.24 Underdeclaration of Value

If the accepting Postal Service employee believes the mailer has not declared the full value of an article presented for registration, the Postal Service employee must do the following:

- Ask the mailer the nature of the contents of the article.
- After discussion with the mailer, if it appears that the proper value is declared on the article, accept it as Registered Mail.
- If it appears that the value of the article is underdeclared, explain to the mailer that the full value of the article must be declared on all Registered Mail articles.
- If the mailer refuses to declare the article at its full value and pay the proper registration fee, inform the mailer that the article cannot be accepted as Registered Mail.

**812.25 Merchandise Return**

The customer (not the permit holder) must declare the full value of articles presented for registered merchandise return service under [812.21](#).

**812.26 Mail Registered Without Prepayment****812.261 Official Mail**

Official mail of authorized government departments and agencies, if prepared under the requirements for transmission of mail without prepayment of postage may be sent by Registered Mail without prepayment of a registration fee. Official Registered Mail paid by stamps or meters must be fully prepaid.

**812.262 Merchandise Return**

Matter registered with merchandise return service may be sent by Registered Mail without prepayment of postage and fees.

**812.263 Other Mail**

Handle other Registered Mail and official Registered Mail paid by stamps or meters as follows:

- a. If found in ordinary mail, handle articles in one of the following ways:
  - (1) If unpaid, return the piece to the sender for postage. Endorse the piece "Not in the Registered Mail" and "Returned for Postage."
  - (2) If only the First-Class<sup>®</sup> Mail postage is paid, endorse the piece "Not in the Registered Mail" and deliver it to the addressee as ordinary First-Class Mail.
  - (3) If the amount of postage and fees affixed indicates that the article was intended to be registered, endorse it "Found in Ordinary Mail." Complete and send to the sender a mail registration receipt and PS Form 3892, *Registered Mail Found in Ordinary Mail*. Rate the item as postage-due and forward it to the addressee through the Registered Mail system.
- b. If found in the Registered Mail system, handle unpaid or shortpaid items as Registered Mail without the collection of postage due. The unit noting the irregularity completes PS Form 3826, *Registry Irregularity Report*; endorses the mailpiece "PS Form 3826 Completed"; and dispatches the article as Registered Mail. Return PS Form 3826 to the accepting Post Office for collection of postage.

**812.264 Indemnity**

Except for matter registered with merchandise return service, no indemnity is paid for any matter registered without prepayment of postage and fees. If a government department or agency wants indemnity coverage, both the postage and proper registry fee (see DMM 609) must be paid in full by stamps or meter stamps. See IMM 333.2 for international registered indemnity provisions.

**812.3 Mailing Receipts**

A receipt must be issued when mail is accepted for registration. If requested to do so by the sender, the accepting Postal Service employee shows on the mailing receipt and Post Office record the time the Registered Mail article was accepted for mailing. For individual transactions, PS Form 3806, *Receipt*

for *Registered Mail*, is issued at the time of the transaction. When PS Form 3877, *Firm Mailing Book for Accountable Mail*, is used, the permanent descriptive receipt is postmarked, signed, and issued as soon as possible after entries are checked against the mail. A temporary receipt showing only the total number of articles may be issued when several articles are mailed.

## 812.4 **Delivery**

### 812.41 **Procedure**

The responsibility of the Postal Service for Registered Mail ends with its proper delivery. Mail for delivery by carriers is taken on the first trip after it is received, unless the addressee has asked the postmaster to hold his or her mail at the Post Office. The addressee or a person representing the addressee may obtain the name and address of the sender and may look at Registered Mail while it is held by the Postal Service employee before accepting delivery and signing the delivery receipt. An acceptable primary form of identification (see [131.3](#)) must be required if the person accepting delivery of Registered Mail is unknown. The mail may not be given to the addressee until the delivery receipt is obtained by the Postal Service employee. The signature of the person receiving the article must appear in the correct block on the delivery receipt.

### 812.42 **Notice of Arrival**

The carrier must leave a notice of arrival in the form of a PS Form 3849 if the carrier cannot deliver the Registered Mail article for any reason. The article is brought back to the Post Office and held for the addressee as per DM 901. If the article is not called for within 5 calendar days, a second notice is issued. If the article is not called for or redelivery of the article is not requested, the article must be returned after 15 calendar days, unless the sender specifies fewer number of days on the mailpiece. In all instances, electronic record management sites must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner.

### 812.43 **Registered Mail Restricted Delivery**

Registered mail restricted delivery may be obtained by the payment of additional fees. For cases when restricted delivery may be made by delivery to a person other than the addressee, see [823](#). See IMM 350 for international restricted delivery service.

### 812.44 **When Not Delivered**

Postmasters may require customers to call for Registered Mail at the Post Office if delivery by carrier would not be safe.

### 812.45 **Rural Delivery**

For delivery by rural carriers or at nonpersonnel rural units, see [65](#).

### 812.46 **Highway Contract Route Delivery**

Highway contract route carriers deliver Registered Mail if required by the contract in accordance with [663.3](#).

### 812.47 **Bad Condition**

If the addressee accepts a Registered Mail article repaired with sealing stamps or reenclosed in a new envelope or wrapper, the addressee must

open it without disturbing the seal in the presence of the delivering employee. If anything is missing, the envelope or wrapper must be given to the employee after it is endorsed to show what was missing. The Postal Service employee must not wait while a large sum of money or coins is counted if the damage is so slight as to indicate nothing is missing.

## 812.5 **Inquiries on Uninsured Articles**

### 812.51 **Who May File**

Registered Mail service includes insurance except for items with no declared value. If the customer is concerned about an item with declared value, the procedures for claims in DMM 503.2 must be followed. The procedures in 812.52 and 812.53 apply only to Registered Mail with no declared value. Only the mailer may file an inquiry on uninsured Registered Mail. For matter registered without declared value and with merchandise return service, only the permit holder may file an inquiry.

### 812.52 **How to File**

#### 812.521 **Original Inquiry**

An inquiry for a Registered Mail article with no declared value must be filed by entering the article number at <http://www.usps.com> or by calling 1-800-222-1811. See Publication 122 for additional information.

Only the mailer, or a merchandise return service permit holder, may file an inquiry on a Registered Mail article with no declared value. The mailer may not file an inquiry until 15 days after the date of mailing of the article. Any customer filing an inquiry for alleged loss must provide proof that a loss actually occurred before a Post Office may accept the inquiry (see DMM 503.2.5).

Only the permit holder may file an inquiry on a Registered Mail article with no declared value sent using merchandise return service. The permit holder must file the inquiry at the Post Office where the permit is held.

#### 812.522 **Duplicate Inquiry**

A duplicate inquiry may not be filed sooner than 30 days after the original inquiry.

## 813 **Certified Mail**

### 813.1 **How to Mail**

Customers can obtain, at no charge, PS Form 3800, *Certified Mail Receipt*, at Post Offices or from rural carriers. Customers can also obtain blank return receipt forms if needed. Senders of Certified Mail must observe the following procedures:

- a. Enter on the receipt part of the Certified Mail coupon the name and complete address of the person or firm to whom the mail is addressed.
- b. If a return receipt is requested, enter the fee on the mailing receipt. Endorse the mail, near the Certified Mail endorsement on the address side of the mailpiece, "Return Receipt Requested." Enter the Certified Mail number on the return receipt card and address it to the intended recipient on the reverse of the return receipt to show where the receipt

is to be sent (this does not have to match the sender's name and return address on the mailpiece). Attach it on the front of a package or large envelope (or to the back of a small envelope) so the card does not cover the address. When a return receipt is requested, the sender's name and complete delivery address is required on the mailpiece.

- c. Affix to the envelope enough postage to pay for the Certified Mail fee, the class of mail used, and any additional extra service fees when applicable.
- d. If a postmarked sender's receipt is requested, the sender must attach the Certified Mail sticker to the address side of the article and present the article and the completed receipt to the Postal Service employee. If asked to do so, the Postal Service employee must show on the receipt the time the article was accepted for mailing. If given to a rural carrier, the carrier returns the postmarked receipt to the sender.
- e. If a postmarked receipt is not requested, the sender must attach the Certified Mail sticker to the address side of the article, detach the receipt, and mail the article. The sender must mark the receipt to show the date.
- f. If the sender wants to restrict delivery of Certified Mail to the addressee or someone named by the addressee in writing, the sender must check Certified Mail Restricted Delivery, or Certified Mail Adult Signature Restricted Delivery on the PS Form 3800 and endorse the mail "Restricted Delivery." This service is available only for articles addressed to individuals by name.

## 813.2 **Delivery**

### 813.21 **Procedure**

Certified Mail for delivery by carriers must be taken out on the first trip after received, unless the addressee requests that the postmaster hold the addressee's mail at the Post Office. Certified mail not restricted in delivery is delivered to the addressee or addressee's authorized representative. Restricted delivery may be obtained by payment of the additional fees listed in Notice 123, *Price List*. For cases when restricted delivery may be to a person other than the addressee, see [823.1](#). Delivery rules are the same as for Registered Mail (see [812.4](#)).

### 813.22 **Rural Delivery**

For delivery by rural carriers or at personnel and nonpersonnel rural units, see [65](#).

### 813.23 **Highway Contract Route Delivery**

Highway contract route carriers deliver Certified Mail if required by the contract, but delivery is made only at the customer's box or along the route.

### 813.24 **Delivery Records**

Certified Mail delivery records are maintained for 2 years. After that period, the records are destroyed or deleted from the electronic record management system.



**813.25 Notice of Arrival**

The carrier must leave a notice of arrival on PS Form 3849 if the carrier cannot deliver the certified article for any reason. The article is brought back to the Post Office and held for the addressee. If the article is not called for within 5 calendar days, a final notice is issued. If the article is not called for or redelivery of the article is not requested, it must be returned after 15 calendar days, unless the sender specifies a fewer number of days on the mailpiece. In all instances, electronic record management sites must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner.

**813.26 Delivery at Post Office**

Hold Certified Mail at a place convenient for the public to call if addressed for box or general delivery or for firm callers, or if PS Form 3849 is left for addressee to call. Place PS Form 3849 in Post Office box for box-service customers, scan/enter the mailpiece barcode as appropriate, and enter the applicable event code in the handheld scanner. PS Form 3883 is used when firm or other customers receive an average of six or more certified letters at one delivery.

**813.3 Carrier Controls****813.31 Assignment**

Send Certified Mail, including that for firms, to a unit or employee designated to assign it for delivery and follow these procedures for each type of mail:

- a. *Individual Pieces.* Use PS Form 3867, *Accountable Mail Matter Received for Delivery*, to show the total number of pieces given to each carrier, or as a chargeout record. Use symbols on PS Form 3867 to show return receipt or restricted delivery. Obtain the signature of the carrier on PS Form 3867. If the mail is endorsed for restricted delivery, prepare PS Form 3849 and attach it to the certified article.
- b. *Firm Mail.* Prepare PS Form 3883 in duplicate for addresses that receive an average of six or more pieces at one time. Do not include on firm bills articles restricted in delivery to the addressee. Handle these as covered in [813.31a](#). Use the duplicates of the firm bill as chargeout and recycle them after the delivery employee turns in receipted bill.

**813.32 Clearance**

The clearing clerk must clear carriers and messengers in the following manner:

- a. Have the carrier or messenger account in bulk for all Certified Mail and return receipts charged to the carrier or messenger, either by signed receipts or returned articles. If any article or return receipt is not accounted for, make an immediate report to the supervisor. Endorse the chargeout record when clearing is complete.
- b. Sign and give back to the carrier or messenger PS Form 3821, *Clearance Receipt*, which is prepared and submitted when accounting for certified articles and return receipts assigned for delivery.

- c. If certified articles returned undeliverable by a delivery employee or messenger are forwarded or returned, show disposition on PS Form 3867. Electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner. Offices using the manual record management program must prepare a disposition record on PS Form 3849, including the name of the addressee. File PS Form 3849 with the delivery receipts.
- d. Examine all return receipts. Make sure that they are properly signed and that the date of delivery is entered. If the mail was restricted in delivery, check to see whether delivery was made to an unauthorized agent. If delivery was improper, have the carrier or messenger obtain the addressee's signature on another receipt card and destroy the original after the duplicate is signed. Mail the receipts no later than the next workday.
- e. It is the supervisor's responsibility to take prompt corrective action with the delivering employee if return receipts or delivery receipts are not obtained or not properly completed.
- f. If the mail is not delivered in 5 days, issue a final notice to the addressee on PS Form 3849 marked "FINAL NOTICE." Send it through regular channels with the addressee's ordinary mail.
- g. International recorded delivery service mail must be handled under the clearance procedures for Certified Mail in [813.32a](#) through [813.32f](#). See IMM 360.
- h. Examine all PS Form 3849. Make sure that the delivery section on the form is properly completed and that there are no extra marks or tape on the form. If errors are found, notify the carrier or messenger of the proper handling procedures for PS Form 3849.

#### 813.33 **Delivery to Military Installations**

Certified Mail items addressed for delivery at military installations within the continental United States must be delivered to the installations in the same manner as Insured Mail items over \$500.

#### 813.34 **Filing Delivery Receipts**

See [811](#) for instructions on filing delivery receipts/records.

#### 813.35 **Undeliverable**

Handle Certified Mail that is undeliverable or to be forwarded according to [813.32c](#).

#### 813.4 **Verified Mailing Receipts**

##### 813.41 **Individual Mailings**

Verify individual mailing receipts as follows:

- a. Compare name and address of addressee on the article and on PS Form 3800, *Certified Mail Receipt*.

- b. If sender checked blocks on PS Form 3800 for return receipt Certified Mail restricted delivery, or adult signature restricted delivery service, make sure the article bears the proper endorsement.
- c. Examine the return receipt card to determine whether the correct blocks in the instructions to the delivering employee are checked, and whether the card is securely attached. Make sure the address is properly completed by the sender.
- d. Make certain that proper postal charges are paid by affixed stamps.
- e. Postmark the receipt part and give it to the mailer. Enter the time that the article is mailed if requested to do so by sender, and place your initials by the entry. Use ink to enter the time and initials in the space for the name of the accepting employee.
- f. Deposit the article in the mail. Do not return it to the mailer.

#### 813.42 **Large-Volume Mailings**

The following steps are taken for large-volume mailings of certified articles that are not submitted under an approved Manifest Mailing System (MMS) agreement. Acceptance procedures for certified articles submitted under an MMS agreement are in Publication 401, *Guide to the Manifest Mailing System*. The following steps are in addition to any other acceptance and verification procedures required for the method of postage payment used or presort discounts claimed:

- a. Randomly select certified articles from the mailing and match the certified numbers against PS Form 3877, *Firm Mailing Book for Accountable Mail* (FMB). Select a random sampling, as follows:

Articles in Mailing	Sampling Size Number of Articles
1-299	10 percent of mailing
300-1,999	30 articles
2,000-3,999	40 articles
4,000-5,999	50 articles
6,000-7,999	60 articles
8,000-9,999	70 articles
10,000-99,999	100 articles

- b. On each article selected for sampling, do the following:
  - (1) Make sure that the article is properly endorsed.
  - (2) Verify that the postage and fees are correctly paid and entered on the FMB.
- c. If the postage and/or fees on a sample article are not correct, take an entire new sampling, the same size as the original. If the second sampling is correct, accept the mailing and make a postage and/or fee adjustment for the incorrect amount. If the second sampling has an error, return the mailing to the mailer for correction.
- d. Collect any postage and/or fees due from the mailer.

- e. Postmark each page and sign the FMB in ink and give it to the mailer. Enter the time the articles are mailed if requested to do so by the mailer, and place your initials in ink by the entry.
- f. Perform these verifications on all mailings.
- g. Deposit articles in mail. Do not return to mailer.

## 814 Insured Mail

### 814.1 Inquiry About Contents and Preparation

The Postal Service employee at the window is required to ask whether the package presented for insurance contains fragile, perishable, or flammable matter. If the package does not contain such matter and to all outward appearances is adequately prepared, no further inquiry about contents is made. If the package contains such matter, detailed inquiry must be made to determine whether contents are admissible in the mail and are adequately packed.

### 814.2 Delivery

#### 814.21 General Provisions

Delivery is made under the following provisions. Parcels insured for over \$500 are delivered under the regulations for the delivery of Registered Mail items.

#### 814.22 At Letter Carrier Offices

##### 814.221 Holding Period

Insured mail is held for the period specified in the sender's return address, but not for more than 15 consecutive days. If no return period is specified, the mail is held for 15 days. The retention period of 15 days applies also to offices to which the mail may be forwarded.

##### 814.222 Notices

Insured parcels are delivered to the addressee's home or, if he or she receives his or her mail in a Post Office box or through general delivery, the addressee must be furnished with a notice of the arrival of the parcel. Electronic record management sites must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner. If the parcel is undelivered after 5 calendar days, a second notice must be sent. After receiving the notice, the addressee may go to the Post Office and obtain the parcel or may request that it be delivered to his or her home again. If the addressee does not accept the parcel when it is offered, the parcel is brought back to the Post Office for immediate return to the sender.

#### 814.23 At Offices Without Carrier Delivery Service

The addressee is notified when an insured parcel is on hand for delivery. The notice is placed in the general delivery or in a Post Office box. A second notice must be issued if the article is undelivered after 5 calendar days. Electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner.

**814.24 Rural Delivery**

Rural carriers must deliver insured mail to the residence if it is not more than 1/2 mile from the route and if the road leading to it is passable. Otherwise, the carrier leaves a notice in the box so that the addressee may meet him or her at the box on the carrier's next trip or call the Post Office for the mail.

Rural carriers from electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code when delivering the item or issuing a notice. For delivery by rural carriers or at Post Offices, stations, branches, or nonpersonnel rural units, see [65](#).

**814.25 On Highway Contract Routes**

Highway contract carriers deliver insured parcels if required to do so by their contract in accordance with [663.3](#). Electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner at delivery.

**814.26 Damaged Packages**

Damaged packages refused by the addressee are handled as follows:

- a. When a package is partially damaged, it must be returned immediately to the sender. At this time, the mailpiece barcode must be scanned/entered and the appropriate event code must be entered in the handheld scanner.
- b. When a package is damaged beyond repair, the sender is informed of the damage and of the addressee's refusal. The mailpiece barcode is scanned/entered at this point and the appropriate event code is entered in the handheld scanner. The package is then held a reasonable time awaiting instructions from the sender or a request for payment of postal insurance. If neither instructions nor a request for payment of postal insurance is received, the postmaster at the office of mailing is requested to determine which disposition of the package is to be made.

**814.27 Spoiled Contents**

When the contents of a package are spoiled, the Postal Service employee must write on the receipt form the date and hour the package was received, the date and hour it was delivered to the addressee, whether the package was endorsed "Perishable," and any known cause of delay or improper handling.

**814.28 Examination of Mail**

The addressee or addressee's representative may read and copy the name and address of the mailer from insured mail while it is in the possession of the Postal Service employee. The addressee may examine the contents only after delivery is made.

**814.3 Delivery Receipts****814.31 Unnumbered Packages**

Unnumbered packages are delivered as ordinary mail.

**814.32 Numbered Packages**

Postal employees must take signed receipts for the delivery of numbered packages on the following forms:

- a. PS Form 3849, *Delivery Notice/Reminder/Receipt*, when delivery is made by carrier and at window delivery at Post Offices with 190 or more revenue units.
- b. PS Form 3867, *Accountable Mail Matter Received for Delivery*, and PS Form 3849 for window deliveries made at Post Offices with 189 or fewer revenue units.
- c. PS Form 3883, *Firm Delivery Receipt for Accountable Mail and Bulk Delivery Mail*, when addressees regularly receive an average of six or more packages at one time.
- d. PS Form 3811, *Domestic Return Receipt*, when requested by the sender. The delivering Postal Service employee also sees that the addressee properly completes the form.

**814.4 Internal Controls****814.41 Large-Volume Mailings**

The following steps are taken for large-volume mailings of insured articles that are not submitted under an approved Manifest Mailing System (MMS) agreement. Acceptance procedures for insured articles submitted under an MMS agreement are in Publication 401, *Guide to the Manifest Mailing System*. The following steps are in addition to any other acceptance and verification procedures required for the method of postage payment used:

- a. Count the articles when they are received.
- b. Check your count against the total number of articles listed on PS Form 3877, *Firm Mailing Book for Accountable Mail* (FMB). The total count must agree with the total number on the FMB provided by the mailer. If it does not, match each article in the mailing against the FMB. If it does match, see [814.41c](#).
- c. Select a sample at random, as follows:

Articles in Mailing	Sampling Size Number of Articles
1-299	10 percent of mailing
300-1,999	30 articles
2,000-3,999	40 articles
4,000-5,999	50 articles
6,000-7,999	60 articles
8,000-9,999	70 articles
10,000-99,999	100 articles

- d. On each article selected for sampling, do the following:
  - (1) Find the listing of the article on the FMB by matching the insured number.
  - (2) Make sure that the article is properly endorsed.

- (3) Weigh the article and compute the postage to see that it agrees with the postage listed on the FMB.
- (4) Verify that the fees are correctly paid and entered on the FMB.
- e. If an insured number on a sample article is not on the FMB, take an entire new sampling, the same size as the original. If the second sampling is correct, accept the mailing and correct the FMB. If the second sampling has an error, match each article in the mailing against the FMB and correct the FMB. Have the mailer initial the corrected FMB.
- f. If the postage and/or fees on a sample article do not agree with the amount listed on the FMB, take an entire new sampling, the same size as the original. If the second sampling is correct, accept the mailing and make a postage and/or fee adjustment for the incorrect amount. If the second sampling has an error, match each article in the mailing against the FMB and correct the FMB. Have the mailer initial the corrected FMB.
- g. Collect any postage and/or fees due from the mailer.
- h. Postmark and sign the FMB in ink and give it to the mailer.
- i. Perform these verifications on all mailings.
- j. Return any subsequent mailings that fail the first and second samplings to the mailer for correction.

#### 814.42 **Filing of Delivery Records**

See section [811](#) for instructions on filing delivery receipts/records.

#### 814.5 **Check of Records**

To ensure that delivery employees are obtaining the required delivery and return receipts and that all receipts are properly handled, offices with carrier delivery service must do the following:

- a. Make a selective check at least quarterly of all delivery and return receipts.
- b. Use PS Form 3871, *Receipt Verification - Insured and Returned COD Mail*, and keep a record for 1 year showing the dates of the selective checks and the results of the checks.

#### 814.6 **Dispatch From Post Offices**

Insured mail is dispatched as ordinary mail and handled as ordinary mail while it is in transit.

### 815 **Collect on Delivery (COD) Mail**

#### 815.1 **Acceptance**

##### 815.11 **Individual Receipts for Mailing**

A receipt is issued for each COD parcel mailed on one of the following forms:

- a. Mailer's receipt copy of COD form; PS Form 3816, *COD Mailing and Delivery Receipt*, or specially printed COD form.

- b. PS Form 3877, *Firm Mailing Book for Accountable Mail*, or specially printed firm mailing bills.
- c. Recapitulation sheets or receipt parts of multiple forms specially printed by the mailers.

#### 815.12 Temporary Receipts

The postmaster may issue a temporary receipt on PS Form 3824, *Temporary Bulk Receipt*, when the number of articles presented at one time for COD warrants it. The permanent receipt is issued as soon as possible.

#### 815.13 For Three or Fewer Parcels

Provide a receipt to mailers of three or fewer parcels at a time by postmarking the sender's receipt part of the COD form.

#### 815.14 Large-Volume Mailings

The following steps are taken for large-volume mailings of COD articles that are not submitted under an approved Manifest Mailing System (MMS) agreement. Acceptance procedures for COD articles submitted under an MMS agreement are in Publication 401. The following steps are in addition to any other acceptance and verification procedures required for the method of postage payment used:

- a. Count the articles when they are received.
- b. Check your count against the total number of articles listed on PS Form 3877, *Firm Mailing Book for Accountable Mail* (FMB). The total count must agree with the total number on the FMB provided by the mailer. If it does not, match each article in the mailing against the FMB. If it does match, see [815.14c](#).
- c. Select a sample at random, as follows:

Articles in Mailing	Sampling Size Number of Articles
1-299	10 percent of mailing
300-1,999	30 articles
2,000-3,999	40 articles
4,000-5,999	50 articles
6,000-7,999	60 articles
8,000-9,999	70 articles
10,000-99,999	100 articles

- d. On each article selected for sampling, do the following:
  - (1) Find the listing of the article on the FMB by matching the COD number.
  - (2) Make sure that the article is properly endorsed.
  - (3) Weigh the article and compute the postage to see that it agrees with the postage listed on the FMB.
  - (4) Verify that the fees are correctly paid and entered on the FMB.
- e. If a COD number on a sample article is not on the FMB, take an entire new sampling, the same size as the original. If the second sampling is



correct, accept the mailing and correct the FMB. If the second sampling has an error, match each article in the mailing against the FMB and correct the FMB. Have the mailer initial the corrected FMB.

- f. If the postage and/or fees on a sample article do not agree with the amount listed on the FMB, take an entire new sampling, the same size as the original. If the second sampling is correct, accept the mailing and make a postage and/or fee adjustment for the incorrect amount. If the second sampling has an error, match each article in the mailing against the FMB and correct the FMB. Have the mailer initial the corrected FMB.
- g. Match the amount due sender on the sample article against the amount due sender on the FMB. If the amount due sender does not agree, check the entire mailing.
- h. Collect any postage and/or fees due from the mailer.
- i. Postmark and sign the FMB in ink and give the original to the mailer. Keep the duplicate for the Post Office records.
- j. Perform these verifications on all mailings.
- k. Return any subsequent mailings that fail the first and second samplings to the mailer for correction.

#### 815.15 **Postmarking**

Follow this procedure when postmarking COD mailings:

- a. Postmark the postage when stamps are used. Postmark the COD form in the proper spaces.
- b. Volume mailers may be authorized by the postmasters to type or computer-print the place and date of mailing on the COD forms. If this procedure is authorized, only the sender's receipt copy (if used) and postage stamps require postmarking by the accepting office. Spot-check mailings to make sure the forms bear the correct date and place of mailing. If the mailer printed the wrong date or place of mailing, the form must be postmarked. Notify the RCSC of improper printings.

#### 815.16 **Registered COD Articles**

Registered COD articles are handled under [815.4](#).

#### 815.17 **Protection**

Give COD mail every reasonable safeguard. Prevent access to the mail by unauthorized persons; keep such mail in locked cabinets, if available.

### 815.2 **Delivery and Payment Procedures**

#### 815.21 **Procedure**

##### 815.211 **Observing Rules**

Delivery rules are the same as those for Registered Mail (see [812.4](#)).

##### 815.212 **Restricting Delivery**

Except for Priority Mail Express COD shipments, a local postmaster may restrict delivery of COD mail if certain conditions are met. In such cases, the postmaster may have the carrier deliver PS Form 3849, *Delivery Notice/Reminder/Receipt*, to notify the addressee that a COD article arrived at the

Post Office. The notice must be delivered on the first carrier trip after the article is received at the Post Office. The total amount due must be shown in the proper part of the form. When the notice is delivered, electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate scan event in the handheld scanner. The postmaster may restrict delivery under either of the following two conditions:

- a. The amount of cash to be collected from the transaction or transactions makes the carrier a potential target for theft and increases the chances of physical injury.
- b. The previous experience of attempted deliveries at an address makes it likely that the addressee is unavailable to receive the article at delivery.

#### 815.213 **Obtaining Signatures**

Have recipient or authorized representative sign PS Form 3849. The delivery employee must sign and fill in the appropriate spaces on the COD form and PS Form 3849. Electronic record management offices must scan/enter the mailpiece barcode and PS Form 3849 and enter the appropriate scan event in the handheld scanner.

#### 815.214 **Returning Articles**

If the addressee declines acceptance and the sender requests PS Form 3849-D, *Notice to Sender of Undelivered COD Mail*, send the form immediately. If PS Form 3849-D is not requested, return refused COD article to the sender immediately. In both cases, electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate scan event in the handheld scanner.

#### 815.215 **Holding Articles**

Follow these guidelines for holding articles:

- a. *Undelivered*. Hold undelivered parcels for the period of time directed by the sender, but never for more than 30 days.
- b. *Military*. Hold COD articles addressed to members of military organizations at military installations at the main office, station, or branch. Send a notice to the addressee to call for the article on PS Form 3849. Deliver the article only to the addressee, unless the addressee requests in writing delivery to another person.

#### 815.216 **Attempting Second Deliveries**

Follow these guidelines when attempting second deliveries:

- a. *Articles Refused at First Attempt*. If the addressee requests delivery of a COD parcel that was refused when it was first offered for delivery by the carrier, and it is being held because the sender requested a PS Form 3849-D service, collect the local rate of postage as postage due if delivery is made.
- b. *Articles Not Refused at First Attempt*. At the addressee's request, attempt redelivery of a COD article that was not refused when first offered by a carrier for delivery. Do not charge extra postage. If a written request is received requesting redelivery, make a second delivery attempt if the required fee is paid. Do not charge additional postage for this delivery attempt.

- c. *Additional Attempts.* When delivery of a COD article is attempted twice by carrier, postage at the local rate must be paid for each additional attempt. No local rate of postage is charged for renewed attempts to deliver COD mail prepaid at the First-Class rate of postage.

#### 815.217 **Handling Collection of Charges**

The recipient must have the exact amount of the COD charges, since the carrier is not furnished change. The carrier may also accept a check from the recipient, made payable to the sender for the amount of the COD charges. When the recipient pays by check, the carrier does not collect a money order fee. Unless otherwise directed, the COD article may be delivered to the addressee's employee, to a competent member of his or her family, or to other persons (see [612](#)). Mailers have the option to obtain electronic funds transfer (EFT), in lieu of a postal money order, for remittance for COD payments made by cash. Although the payment is made in cash, no money order fee is collected if the COD PS Form 3816 is marked EFT within the sender's information on the form. Contact the National Customer Support Center (NCSC) at 877-264-9693 for EFT enrollment information.

#### 815.218 **Allowing Reading of Return Address**

The addressee or representative may read and copy the name and address of the sender from COD mail while the article is in the possession of the Postal Service employee. The addressee or representative may examine the contents only after the COD charges are paid and delivery made.

#### 815.219 **Obtaining Receipt From Sender**

Obtain receipt from sender on PS Form 3849 when delivering on return to sender. PS Form 3883, *Firm Delivery Receipt for Accountable Mail and Bulk Delivery Mail*, must be used if an average of six or more articles are delivered to the sender at one time.

#### 815.22 **Collection of Charges**

Collect charges as follows:

- a. At time of delivery, collect the charges entered on the COD forms. The recipient may pay the charges in cash (in which case a money order fee is collected, unless the sender is enrolled in EFT) or by check or money order made payable to the mailer (no money order fee is collected) or by check payable to the mailer (no money order fee is collected). Do not accept checks payable to the United States Postal Service®. Accept checks issued by businesses using the procedures in Handbook F-1, *Post Office Accounting Procedures*. Delivery employees must accept checks and see identification as follows:
  - (1) The recipient's name and complete address must be printed on the check. The recipient's telephone number must be recorded on the check.
  - (2) When a recipient is known by name to the Postal Service employee delivering the COD article, the employee making the identification should note "Customer Known" on the back of the check, sign it, and record one of the current forms of identification listed below (preferably a driver's license).

- (3) If the recipient is unknown, an acceptable primary form of identification (see [131.3](#)) must be presented.
- (4) Compare the signature on the check with the signature on the identification. If the signatures do not match, do not accept the check.
- (5) Record the COD number on the check.
- (6) Record the COD number on the check.
- b. If there is a difference between the amount of charges shown on the form and the amount shown on the package, collect the higher amount. Hold payment until the correct amount is ascertained from the mailing office; then return any overpayment. If the recipient does not pay the higher amount, hold the package until information on the correct amount is received, but never more than 30 days.

### 815.23 Issuance of Payment

#### 815.231 Preparing Money Orders

Issue money orders on the day packages are delivered or the first business day following the day of delivery, except that for deliveries made on Friday, COD money orders may be prepared on Monday or the first business day following Sunday. Prepare COD money orders as follows:

- a. Enter the complete name and address of the sender of the package under "Pay To" and the complete name and address of the addressee under "Purchased By."
- b. Place the complete COD number in the block labeled "COD No. or Used For."
- c. Endorse "Illegible" or "Omitted" in the space provided for the COD number (opposite "For") on the money order, if necessary.
- d. Prepare and enclose PS Form 3833, *COD Irregularity*, with the check or money order if information on a form is illegible, incomplete, or omitted.
- e. Keep the payment copy of the COD form with the money order. Do not pin or staple the money order, since it must later be processed by computer.
- f. *Manual record management sites:* Staple customer's receipt for the money order to the COD delivery record. At offices with 950 or more revenue units, file them by the last 2 digits of the COD number. At offices with 949 or fewer revenue units, file them by the last digit only. *Electronic record management sites:* Select COD clearance on handheld or POS ONE scanner, scan/enter the mailpiece barcode, and enter the corresponding money order number and amount.
- g. The Post Office voucher copy of the money order is placed in sequence and handled with vouchers for other orders issued that day.

#### 815.232 Remitting to Sender

Mail checks and money orders in an EM04 envelope on the day of issue or not later than the following workday. Place the payment copy of the COD form in the EM04 envelope so that the mailer's name appears in the window. Use prepaid (or business reply) envelopes when they are furnished by the mailer.

**815.233 Missing or Illegible Name of Sender**

Deliver to the addressee and collect charges on a COD package received without name and address or with illegible name and address of the sender. Obtain name and address of the sender from the addressee and request the postmaster at the office of mailing to verify name and address. If the mailing records do not show the name and address of the sender, the mailing postmaster must obtain a statement from the person named as sender verifying that person as sender. The mailing postmaster must send this statement to the office of delivery. Attach the statement to the delivery record and issue the money order. If the sender's name cannot be obtained, allow the addressee to pay for the article in cash only. Carry the amount as a trust item for 1 year. If it is not claimed, remove it from the trust and enter it in AIC 126, *Miscellaneous Nonpostal Revenue*.

**815.24 Payment by Check****815.241 Accepting and Processing**

The recipient's check must be made payable to the sender. Checks must be processed daily under [815.231](#). Prepare checks as follows:

- a. Examine the check for completeness.
- b. Enter COD number in memo part of the check if the addressee has not already done so.
- c. Correct the address printed on the check, if necessary.
- d. *Manual record management sites:* Annotate the COD form to show payment by check. Enter the check number and date the check was mailed. *Electronic record management sites:* Select COD clearance on handheld or POS ONE scanner, scan/enter the mailpiece barcode, and enter the corresponding check number and amount.

**815.242 Remitting to Sender**

Return the check to the mailer according to [815.232](#) and file COD forms according to [815.231d](#).

**815.243 Missing or Illegible Name of Sender**

Obtain the name and address of the sender from the recipient and request the postmaster at the office of mailing to review the sender's mailing receipt to verify that the package was mailed by him. If the sender cannot be verified, and the recipient wants to pay cash, deliver the article according to [815.233](#). Otherwise, handle the article according to [619.22](#).

**815.25 Returned Money Orders and Checks**

Try to obtain the correct address for money orders and checks returned as unclaimed. If the payee cannot be found, handle the money orders and checks as follows:

- a. Forward the money order and a statement of the facts to the Money Order Branch, St. Louis Accounting Service Center.
- b. Send money orders returned to postmasters endorsed "Refused," "Out of Business," or "Fictitious," to the same address.
- c. Annotate the back of the COD form to show when a check is returned and forward the returned check to the customer.

- d. If money orders or checks are returned as “Fraudulent,” try to return the check to the customer or the amount of the money order to the purchaser. If this cannot be done, forward money orders to the Money Order Branch and attach checks to the COD form and file the form. In each instance, note the disposition of the money order or check on the COD form and file the form.

## 815.26 **Claims and Inquiries on Nonreceipt of Checks or Money Orders**

### 815.261 **PS Form 1000, Domestic Claim or Registered Mail Inquiry**

Inquiries or claims involving the nonreceipt of recipient’s checks or money orders must be submitted on PS Form 1000 according to [146](#).

### 815.262 **Payment Method**

St. Louis ASC or the office of address must indicate whether United States Postal Service Postal Service records show delivery (including date of delivery), to whom delivered, whether payment was made by check or money order, and the check or money order number (see [146](#)).

### 815.263 **Disputes**

Postmasters must not participate in any disputes about the recipient’s check.

## 815.3 **Special Instructions**

### 815.31 **Mail Opening Units**

Handle COD mail as follows:

- a. Separate all COD mail not to be delivered from stations and give it to the recording or delivery unit without making a record or obtaining a receipt.
- b. Dispatch COD mail for delivery by stations-to-stations in separate sacks labeled “COD” and mark for the superintendent. Do not postmark the forms or make a record on any bill.

### 815.32 **Assignment and Reporting**

#### 815.321 **Window Delivery**

Give mail for window delivery to the delivery section without receipt.

#### 815.322 **Other Delivery**

Use PS Form 3867, *Accountable Mail Matter Received for Delivery*, to show the total number of pieces given to each carrier. The carrier signs PS Form 3867.

#### 815.323 **Firm Mail**

Prepare PS Form 3883 in duplicate for addressees who receive an average of six or more pieces at one time and for large volume of returned COD articles. A duplicate of the firm bill serves as the chargeout and is kept after the carrier turns in the receipted bill.

#### 815.324 **Undelivered Articles**

Give to the delivery section, without receipt, undelivered packages awaiting call of addressee.

**815.325 Reports**

Each employee delivering COD mail to the public must make a report on PS Form 3821, *Clearance Receipt*, to the designated supervisor or station or branch superintendent or designee (if under system B, see [815.34](#)). Prepare PS Form 3821 in duplicate. Keep the copy as a personal record and deposit the original in the locked receptacle provided for carriers.

**815.326 Disposal**

Depending on whether the office operates under system A or B, as explained in [815.34](#), dispose of PS Form 3821 as follows:

- a. *System A.* Under system A, remove PS Form 3821 from the locked receptacle each day for transmission to the accounting unit. No employee responsible for preparing PS Form 3822, *COD Tag Transmittal*, or PS Form 1412-A, *Daily Financial Form*, and PS Form 1412-B, *Daily Financial Report*, may have access to PS Forms 3821 deposited in the locked receptacle for transmission to the accounting unit.
- b. *System B.* Under system B, PS Form 3821 is removed from the locked receptacle by the station or branch superintendent or designee.

**815.33 Clearance**

Clear carriers in the following manner:

- a. Have the carriers account for all COD mail charged to them either by turning in signed receipts, including the charges due sender and the money order fee, or returned articles. If any article is not accounted for, make an immediate report to the supervisor.
- b. Sign PS Form 3821 and return it to the carrier.
- c. If undeliverable COD articles returned by a carrier are forwarded or returned, show their disposition on PS Form 3867. Electronic record management offices must scan/enter the mailpiece barcode and enter appropriate event code in the handheld scanner. Offices using manual record management must prepare on PS Form 3849 a disposition record that includes the addressee's name and address. File PS Form 3849 with the delivery receipts.
- d. Give to the delivery section, without receipt, undelivered packages awaiting call of addressee.

**815.34 Remitting Units****815.341 Completion of PS Form 3822 in Duplicate**

All units effecting delivery of COD mail must complete PS Form 3822, *COD Tag Transmittal*, in duplicate each day.

**815.342 Carrier and Window Deliveries at Same Unit**

If both carrier and window deliveries are accounted for at the same unit, the collections for both are entered on the same PS Form 3822.

**815.343 Systems A and B**

System A and system B are authorized. System A applies when all COD money orders are issued at the main office. System B applies when COD money orders are issued at delivery stations and branches, including rural stations and branches. Each system is outlined below.



- a. *System A.* At offices operating under system A, verify and forward the original copy of PS Form 3822, the adding machine tape, and the COD forms to the superintendent of the main Post Office window unit. Issue payment as outlined in [815.23](#). On PS Form 3822, show separately the amounts to be remitted to sender by check and by money order. On the adding machine tape, list the amount of charges separately, in the following order:
  - (1) Amount of charges paid by check.
  - (2) Amount of charges paid by cash.
  - (3) Money order fee for each form included in [815.343a\(2\)](#). Keep the forms in the same order as amounts shown on the tape. Forward the duplicate copy of PS Form 3822 with the verified adding machine tape to the accounting unit for PS Form 1412-A or PS Form 1412-B. Forward the COD forms to the unit that files the forms.
- b. *System B.* At offices operating under system B, use the following procedures:
  - (1) The COD clerk must (a) deliver directly to the money order clerk the COD forms with adding machine tape, the cash and checks, and PS Form 3822 in duplicate, each prepared under [815.241a](#); (b) obtain the money order clerk's receipt on PS Form 3822; and (c) deliver the original to the station or branch superintendent or designee, and keep the copy for 3 months.
  - (2) The money order clerk must (a) verify the cash, the number of COD tags, and the amount shown on PS Form 3822; (b) receipt and return PS Form 3822 in duplicate to the COD clerk; (c) issue the money orders the same day delivery is effected, if practical, and send to senders with payment copies; (d) attach the customers' receipts to the corresponding COD forms and deliver them with adding-machine tape, separately listing charges and money order fees, to the superintendent or designee, with funds representing COD money orders not issued; and (e) process COD forms with checks made payable to the mailer under [815.24](#).
  - (3) The station or branch superintendent, or designee, receives the receipted original PS Form 3822 from the COD clerk and compares the amounts thereon with the totals on PS Form 3821. These must agree. This employee also receives the COD forms from the money order clerk with customers' receipts attached. Verify separately all COD forms annotated to show payment by check. Funds representing COD money orders not issued are recorded as trust funds on PS Form 1412-A or PS Form 1412-B and PS Form 3083, *Trust Accounts Receipts and Withdrawals*. COD forms are sent to the main office for filing. The original PS Form 3822 and supporting PS Form 3821 are kept at the delivering station or branch and filed by date. The cash is accounted for as money order funds on PS Form 1412-A or PS Form 1412-B.



- (4) The station or branch superintendent, or designee, is responsible for ensuring that the check required by [815.35g](#) is done at the station or branch.
- (5) COD delivery units of the main office must follow the procedures in system A.

#### 815.35 **Main Office Retail Window Unit**

Follow these procedures at a main office window unit:

- a. Issue the money orders and mail recipients' checks to the mailer if paid by check (see [815.232](#)).
- b. Staple the customer's receipt to the COD form if appropriate, or annotate the COD form as required in [815.24](#).
- c. Add separately the amounts of the money orders and fees covering the forms from each unit. If the totals agree with those on PS Form 3822 and the adding machine tape, no further verification is necessary.
- d. Complete the money order accountability report.
- e. Forward receipted PS Form 3822 to the accounting unit.
- f. Manual record management sites must file COD forms in a separate file for semimonthly, monthly, or quarterly periods by the last 2 digits of the package numbers. Postmasters may keep this file in the inquiry section.
- g. Check one day's COD business each month to make sure money orders are being properly prepared and promptly issued and that COD forms are properly annotated when paid by check. The check must be made by employees who do not issue money orders. This check must be done under both systems A and B.

#### 815.36 **Separation of Duties**

Do not assign an employee engaged in the handling of COD mail or funds or in the issuance of COD money orders to handle inquiries or claims covering COD mail, unless this is unavoidable. If the quantity of mail does not justify separate recording and delivery sections and the duties can be done in one section, or if the duties of one or both sections can be done in the registry section, submit a statement of the facts to the district manager, Customer Service and Sales.

#### 815.37 **Examination of COD Business**

At irregular intervals, but not less than twice a month, the postmaster must make a critical examination of COD business as follows:

- a. Select at random three or more sheets of PS Form 3867 listing COD articles on them during the period to be checked.
- b. Check "open" items against the on-hand packages. Packages should be on hand.
- c. Check the COD form file to verify that packages shown on PS Form 3867 are delivered. Where applicable, compare dates of money orders with dates of delivery as shown on the COD forms and PS Form 3867.

- d. Select at random several delivering employees' receipts and, if paid by money order, compare dates of delivery with recorded dates of COD money orders.
- e. Ensure that senders' return instructions are being observed, and that returned packages are endorsed to show the reason for nondelivery and the dates addressees were notified.
- f. Report immediately to the inspector in charge any irregularity or possible manipulation of COD funds or records. Do not reveal to employees that a report was made or is to be made.

#### 815.4 **Registered COD Mail**

##### 815.41 **Acceptance**

When accepting Registered Mail COD mail, check the Registered Mail block on the COD form. Place both a Registered Mail label and the COD form on the address side of the package.

##### 815.42 **Receipts and Office Records**

Follow these procedures for handling receipts and office records:

- a. Mark the sender's receipt and the office registration record "COD" and show separately the amount of COD charges, COD fee, and postage paid, in addition to particulars required to be kept of Registered Mail.
- b. Detach the mailing office's and sender's receipt part of COD forms and attach to registered receipts. Give customer both the Registered Mail and COD receipts.
- c. In individual registration receipts, use PS Form 3806, *Receipt for Registered Mail*. Enter the COD data on the back of the receipt.

##### 815.43 **Dispatch From Post Offices**

Dispatch registered COD mail with "COD" written opposite the entry of mail. Do not enter the amount of COD charges on the dispatch record. If the dispatch does not consist entirely of registered COD mail, write "COD" opposite the entry of each registered COD article.

**815.44 Handling and Delivery**

Follow these procedures for handling and delivery of registered COD mail:

- a. Include the mail with other Registered Mail, and process under the methods required for handling other Registered Mail.
- b. Handle the charges collected in the same manner as charges collected on unregistered COD mail.

**815.5 Priority Mail Express COD**

Priority Mail Express COD is assigned and delivered under [815](#). After the money order or check is sent to the mailer, the clerk attaches the Priority Mail Express delivery receipt from the appropriate Label 11 to the PS Form 3816, *COD Mailing and Delivery Receipt*, removed from the Priority Mail Express article. The clerk sends the Priority Mail Express receipt and COD form to the Priority Mail Express unit for recording. The Priority Mail Express unit then sends the receipt and form to the claims and inquiry unit for filing with the rest of the COD forms.

For offices that keep the COD forms, the Priority Mail Express unit must make a photocopy of the COD form for filing with the Priority Mail Express delivery receipt. Once completed, the COD form is returned to the delivery office. The COD forms with the Priority Mail Express delivery receipts attached must be kept for 2 years from the date of mailing.

**816 USPS Tracking****816.1 How to Mail**

Electronic option USPS Tracking available with USPS Marketing Mail parcels provides the sender with information about the date and time an article was delivered, or if delivery was attempted but not successful, the date and time of the delivery attempt. Delivery information can be accessed by visiting <http://www.usps.com> or via text alerts by texting your tracking number to 28777 (2USPSTM). Privately printed forms or labels or Label 400 options are available to mailers who establish an electronic link with USPS to exchange acceptance and delivery data.

Electronic option USPS Tracking available with USPS Marketing Mail parcels provides the sender with information about the date and time an article was delivered, or if delivery was attempted but not successful, the date and time of the delivery attempt. Delivery information can be accessed by visiting <http://www.usps.com> or via text alerts by texting your tracking number to 28777 (2USPSTM). Privately printed forms or labels or Label 400 options are available to mailers who establish an electronic link with USPS to exchange acceptance and delivery data.

**816.2 Delivery****816.21 Procedure**

USPS Tracking mail for delivery by carriers must be taken out on the first trip after receipt, unless the addressee requests that the postmaster hold the mail at the Post Office. Delivery employees from electronic record management offices must scan/enter the tracking number and enter the

appropriate event code into the handheld scanner when USPS Tracking items.

**816.22 Rural Delivery**

Rural carriers from electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code into the handheld scanner when delivering USPS Tracking items. For more information on delivery by rural carriers or at personnel and nonpersonnel rural units, see [65](#).

**816.23 Highway Contract Route Delivery**

Highway contract route carriers deliver USPS Tracking mail if required by the carrier's contract, but delivery is made only at the customer's mailbox or along the route. Electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner at delivery.

**816.24 Delivery Status**

Customers will have access to delivery status information for 45 days by visiting the Postal Service Web site at [www.usps.com](http://www.usps.com) or, for retail customers only, by calling toll-free 1-800-222-1811.

**816.25 Notice of Arrival**

The carrier must leave a notice of arrival using PS Form 3849, *Delivery Notice/Reminder/Receipt*, if the USPS Tracking article cannot be delivered because it will not fit into the mail receptacle or the parcel is endorsed under the standards in DMM D042.7.0. Delivery employees from electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner. If the article is undeliverable it is brought back to the Post Office and held for the addressee. If the article is not called for within 5 calendar days, a final notice is issued. If the article is not called for or redelivery of the article is not requested, it must be returned to the sender after 15 calendar days, unless the sender had specified on the mailpiece that it be held a fewer number of days in accordance with DMM M012. Employees in electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner when returning mail to sender.

**816.26 Delivery at Post Office**

Hold items with USPS Tracking at a place convenient for the public to call if addressed for Post Office box, general delivery, firm callers, or if PS Form 3849 is left for addressee to call. Place PS Form 3849 in the Post Office box for box-service customers. Items with USPS Tracking do not require a signature, so PS Form 3883, *Firm Delivery Receipt for Accountable Mail and Bulk Delivery Mail*, or PS Form 3883-A, *Firm Delivery Receipt*, may be used when customers receive an average of 10 or more USPS Tracking service items at one delivery.

**816.3 Carrier Controls****816.31 Assignment**

Send USPS Tracking mail, including those for firms, to a unit or employee designated to assign this mail for delivery, and follow these procedures for each type of mail:

- a. *Individual Pieces.* Deliver items with USPS Tracking in the same manner as other Priority Mail and Package Services items.
- b. *Firm Mail.* Prepare PS Form 3883 or PS Form 3883-A in duplicate for customers who receive an average of 10 or more pieces at one time. Use the duplicates of the firm sheet as chargeout, and recycle the duplicate forms after the delivery employee has turned in the firm sheet and the signed PS Form 3849. PS Form 3883 may include other special service items. A minimum of six items is required for a mixed PS Form 3883. All items must be scanned and PS Form 3883 must be scanned to create an electronic link of all pieces to the firm sheet. Offices with firm print work stations will use these systems to create barcoded firm sheets.

**816.32 Delivery to Military Installations**

USPS Tracking service is limited for items to APO/FPO/DPO addresses. Availability of electronic information regarding an event scan may be limited.

**816.33 Undeliverable**

Use procedures in [816.25](#) to handle mail with USPS Tracking that is undeliverable or must be forwarded.

**816.4 Verified Mailing Receipts****816.41 Retail Customers**

Verify individual mailing receipts as follows:

- a. Apply and scan USPS Tracking barcoded label.
- b. Make certain that the correct postal charges have been paid with affixed adhesive or meter stamps.
- c. Deposit the article in the mail.

**816.42 Large-Volume Mailings**

When accepting USPS Tracking service articles submitted under a Manifest Mailing System agreement, follow the acceptance procedures listed in Publication 401, *Guide to the Manifest Mailing System* (MMS), for insured, (including Priority Mail with included insurance), COD, Certified Mail, and return receipt for merchandise articles, using USPS Tracking service package identification code as the article number.

For large-volume mailings that include Delivery Confirmation service articles not submitted using an approved Manifest Mailing System agreement, follow the steps below.

These steps are in addition to any other acceptance and verification procedures required in Handbook DM-109, *Business Mail Acceptance*, for the method of postage payment used or presort discounts claimed:

- a. Randomly select sample pieces from the mailing according to the sample size chart below.

Articles in Mailing	Sampling Size
1-299	10 percent of mailing
300-1,999	30 articles
2,000-3,999	40 articles
4,000-5,999	50 articles
6,000-7,999	60 articles
8,000-9,999	70 articles
10,000-99,999	100 articles

- b. For each sample piece selected with USPS Tracking service check the following:
  - (1) That the article number is listed on PS Form 3877, *Firm Mailing Book for Accountable Mail*.
  - (2) That the postage and fees are correctly paid and entered on PS Form 3877.
  - (3) That the article is properly endorsed.
- c. If the postage on a sample article is not correct, take an entirely new sample that is the same size as the original sample. If the second sampling is correct, accept the mailing and make a postage and/or fee adjustment for the incorrect postage amount. If the second sampling has an error, return the mailing to the mailer for correction.
- d. Postmark and sign the firm mailing book in ink and give it to the mailer. Enter the time the articles are mailed if requested to do so by the mailer and initial in ink by the entry.

## 817 Signature Confirmation Service

### 817.1 How to Mail

#### 817.11 Service Options

There are two options offered for this service: a retail option available at any Post Office; and an electronic option for mailers who apply identifying barcodes to each piece, who establish an electronic link with the Postal Service to exchange acceptance and delivery information, and who provide an electronic file of Signature Confirmation service pieces that are entered for mailing.

- a. Retail option Signature Confirmation service provides the sender with signature proof of delivery on request and information about the date and time an article was delivered or, if delivery was attempted, the date and time of the delivery attempt. The retail Signature Confirmation service process involves collecting and storing delivery and signature information and provides the delivery information through the Postal

Service Web site or a toll-free number (as stated in [817.24](#)). The sender can request that a copy of the Signature Confirmation service signature and delivery information be sent by fax or mail. Customers can obtain, free of charge, PS Form 153, *Signature Confirmation*, at Post Offices or from rural delivery employees. Retail Signature Confirmation service can be used with Priority Mail service and Package Services. Signature Confirmation Restricted Delivery is also available. It provides the same service as Signature Confirmation, but also permits a mailer to direct delivery only to the recipient or recipient's authorized agent. The recipient must be an individual specified by name.

- b. Electronic option Signature Confirmation service provides the mailer with signature proof of delivery on request and information about the date and time an article was delivered, or if delivery was attempted, the date and time of the delivery attempt. Delivery information can be accessed by visiting [www.usps.com](http://www.usps.com) or through the electronic file. The signature information can be requested by visiting the Web site or calling the toll-free number. A response letter will be faxed or mailed to the sender according to his or her request. A mailer who wants to use the electronic option must supply the Postal Service with an electronic file that includes a list of the mailpieces. Electronic Signature Confirmation service can be used with Priority Mail service and Package Services.

## 817.2 Delivery

### 817.21 Procedure

Signature Confirmation service mail for delivery by carriers must be taken out on the first trip after it is received, unless the addressee requests that the postmaster hold the mail at the Post Office. Delivery employees from electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner when delivering Signature Confirmation items. A corresponding PS Form 3849 must be properly completed and scanned.

### 817.22 Rural Delivery

Rural carriers from electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code into the handheld scanner when delivering Signature Confirmation service items. The corresponding PS Form 3849 must be scanned and properly completed. For more information on delivery by rural carriers or at personnel and nonpersonnel rural units, see [65](#).

### 817.23 Highway Contract Route Delivery

Highway contract route carriers deliver Signature Confirmation service mail if required by the carrier's contract, but delivery is made only at the customer's mail box or along the route. Electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner at delivery. Corresponding PS Form 3849 must be scanned and properly completed.

**817.24 Delivery Records**

Customers will have access to the delivery status and signature image for 1 year by visiting the Postal Service Web site at [www.usps.com](http://www.usps.com) or, for retail customers only, by calling 1-800-222-1811.

**817.25 Notice of Arrival**

The carrier must leave a notice of arrival using PS Form 3849, *Delivery Notice/Reminder/Receipt*, if no one is available to receive the Signature Confirmation service article. Delivery employees from electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner. Articles that have the signature waived and can be left in a secure area must be signed for by the carrier and delivered. If the article cannot be delivered, it is brought back to the Post Office and held for the addressee. If the article is not called for within 5 calendar days, a final notice is issued. If the article is not called for or redelivery of the article is not requested, it must be returned after 15 calendar days, unless the sender specifies a fewer number of days on the mailpiece in accordance with DMM 202 and 508.1.1.7f. Employees in electronic record management offices must scan/enter the mailpiece barcode and enter the appropriate event code in the handheld scanner when returning mail to sender.

**817.26 Delivery at Post Office**

Hold Signature Confirmation service items at a place convenient for the public to call if addressed for Post Office box, general delivery, firm callers, or if PS Form 3849 is left for addressee to call. Place PS Form 3849 in the Post Office box for box-service customers. PS Form 3883, *Firm Delivery Receipt for Accountable Mail and Bulk Delivery Mail*, or PS Form 3883-A, *Firm Delivery Receipt*, can be used for a firm or customer that receives an average of six or more Signature Confirmation service items at one delivery. Corresponding PS Form 3849 must be signed when using PS Form 3883.

**817.3 Carrier Controls****817.31 Assignment**

Send Signature Confirmation service mail, including Signature Confirmation service mail for firms, to a unit or employee designated to assign this mail for delivery, and follow these procedures for each type of mail:

- a. *Individual Pieces.* Deliver Signature Confirmation service items in the same manner as other Priority Mail service and Package Services items. Signature Confirmation service items must be signed for by the addressee or addressee's agent in accordance with [817.2](#).
- b. *Firm Mail.* Prepare PS Form 3883 or PS Form 3883-A in duplicate for addressees who receive an average of 6 or more pieces at one time. Use the duplicates of the firm sheet as chargeout, and recycle the forms after the delivery employee has turned in the firm sheet and the signed PS Form 3849. PS Form 3883 may include other special service items. A minimum of six items is required for mixed PS Form 3883. All items must be scanned and the PS Form 3883 barcode scanned to create an



electronic link of all pieces to the firm sheet. Offices with firm print work stations will use these systems to create barcoded firm sheets.

#### 817.32 **Delivery to Military Installations**

Signature Confirmation service is not available to APO/FPO addresses.

#### 817.33 **Undeliverable**

Use procedures in [817.25](#) to handle Signature Confirmation service mail that is undeliverable or must be forwarded.

#### 817.4 **Verified Mailing Receipts**

##### 817.41 **Retail Customers**

Verify individual mailing receipts as follows:

- a. Apply and scan Signature Confirmation service barcoded label.
- b. Verify completion of Signature Waiver information for customers choosing option.
- c. Make certain that correct postal charges are paid by affixed adhesive or meters stamps.
- d. Deposit the article in the mail.

##### 817.42 **Large-Volume Mailings**

When accepting Signature Confirmation service articles submitted under a Manifest Mailing System agreement, follow the acceptance procedures listed in Publication 401, *Guide to the Manifest Mailing System (MMS)*, for insured, COD, Certified Mail, and return receipt for merchandise articles, using the Signature Confirmation service package identification code as the article number.

For large-volume mailings that include Signature Confirmation service articles not submitted using an approved Manifest Mailing System agreement, follow the steps below. These steps are in addition to any other acceptance and verification procedures required in Handbook DM-109, *Business Mail Acceptance*, for the method of postage payment used or presort discounts claimed:

- a. Randomly select sample pieces from the mailing according to the sample size chart below.

Articles in Mailing	Sampling Size
1-299	10 percent of mailing
300-1,999	30 articles
2,000-3,999	40 articles
4,000-5,999	50 articles
6,000-7,999	60 articles
8,000-9,999	70 articles
10,000-99,999	100 articles

- b. For each sample piece with Signature Confirmation service check the following:
  - (1) That the article number is listed on PS Form 3877, *Firm Mailing Book for Accountable Mail*.
  - (2) That the postage and fees are correctly paid and entered on PS Form 3877.
  - (3) That the article is properly endorsed.
- c. If the postage and/or fees on a sample article are not correct, take an entirely new sample that is the same size as the original sample. If the second sampling is correct, accept the mailing and make a postage and/or fee adjustment for the incorrect postage amount. If the second sampling has an error, return the mailing to the mailer for correction.
- d. Postmark and sign the firm mailing book in ink and give it to the mailer. Enter the time the articles are mailed if requested to do so by the mailer and initial in ink by the entry.

## 82 Supplemental Mail Services

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### 821 Certificates of Mailing

#### 821.1 Procedures

##### 821.11 At Time of Mailing

##### 821.111 Mailer Preparation

Certificates of mailing must be prepared by the mailer in ink. Individual and firm mailing book certificates must show the names and addresses of the sender and addressee, and may show the amount of postage paid. Mailers may also place identifying invoice or order numbers on the certificate. PS Form 3665, *Certificate of Mailing—Firm (Domestic)*, including USPS-approved facsimiles, is permitted at Retail Post Office locations when presenting fewer than 50 mailpieces and less than 50 pounds of corresponding articles at one time and must be presented at a Business Mail Entry Unit (BMEU) or Authorized Detached Mail Unit (DMU) when presenting at least 50 pieces or 50 pounds of corresponding articles at one time.

Mailers may use their current USPS-approved facsimile of PS Form 3877 as domestic Certificates of Mailing in lieu of the PS Form 3665 until June 2, 2017. PS Form 3877, *Firm Mailing Book for Accountable Mail*, may not be used as a domestic Certificate of Mailing otherwise.

#### a. Procedures for Retail RSS, POS and Manual Offices

##### (1) Sampling and Acceptance Steps

- (a) Verify that the proper postage is affixed on the individual mailpieces.
- (b) Randomly select 10% of the pieces from the mailing as samples (always sample at least one piece) and compare the name and address on the samples to the names and

addresses listed on the PS Form 3665, then proceed as follows:

- (i) If the sampled mailpieces do not match the form, return the mailing to the customer on the same day to correct. If a mailer resubmits a returned mailing that has been corrected, begin again at **Sampling and Acceptance Steps**.
- (ii) If the sampled mailpieces match the form, then, count the number of pieces presented and compare that number to what is listed by the mailer on the PS Form 3665. If the number of pieces counted does not match, return the mailing to the customer on the same day to correct.
- (c) If the number of pieces listed by the mailer and number counted match, multiply the number of pieces by the current fee and validate that correct postage is affixed to the form. If the correct postage is not affixed, return the mailing to the customer on the same day to correct, or skip to Item f in this section if the mailer wants the USPS to affix the applicable postage for the fees to the form.
- (d) If the correct postage is affixed, verify that each page is properly sequenced, numbered (i.e., Page \_\_ of \_\_) and accounted for, then sign and postmark (date-stamp) each page of the form. Then, skip to Item 6.
- (e) If the postage for the fees is not affixed, complete the RSS, POS, or Manual Retail transaction.
- (f) Once the Certificate of Mailing transaction process is complete in RSS, POS, or manually, the retail sales and service associates will collect the fees, affix the postage strip to the Form, verify that the total number of pages in sequence (Page 1 of 4, etc.) are present and accounted for, and sign and postmark (date-stamp) each page of the form. See **Postmarking** for details.
- (g) Return the form(s) to the mailer after ensuring that each page was postmarked.
- (h) Accept the mailing for dispatch.

**b. Procedures for Business Mail Entry Unit (BMEU)/Detach Mail Unit (DMU) Sites**

**(1) Sampling and Acceptance Steps**

- (a) Verify that the proper postage is affixed on the individual mailpieces as applicable to the payment method.
- (b) If the mailer is operating under a USPS/Mailer Agreement, the BMEU/DMU clerk will sample the mailpieces in accordance with the terms of the agreement. If the mailer is not operating under a USPS/Mailer Agreement, the BMEU/DMU clerk will select the number of mailpieces to sample at random, using the chart below.

Articles in Mailing	Sampling Size –Number of Articles
3–299	10% of the mailing (at least one piece)
300–1,999	30 articles
2,000–3,999	40 articles
4,000–5,999	50 articles
6,000–7,999	60 articles
8,000–9,000	70 articles
10,000–99,999	100 articles
100,000–499,999	130 Ticles

- (c) The BMEU/DMU clerk will verify that the names and addresses on the sample mailpieces match the corresponding names and addresses listed on the PS Form 3665. All sampled mailpieces must match the information on the PS Form 3665.
  - (i) If the sampled mailpieces do not match the form, return the mailing to the customer on the same day to correct. If a mailer resubmits a returned mailing that has been corrected, begin again at **Sampling and Acceptance Steps**.
  - (ii) If the sampled mailpieces match the form, then, count the number of pieces presented and compare that number to what is listed by the mailer on the PS Form 3665. If the number of pieces counted does not match the form, return the mailing to the customer on the same day to correct.
- (d) If the number of pieces listed by the mailer and number counted match, multiply the number of pieces by the current Certificate of Mailing fee, and validate that correct postage is affixed to the form. If the correct postage is not affixed, return the mailing to the customer on the same day to correct.
- (e) If the correct postage is affixed or has been paid for on the postage statement, verify that each page is properly sequenced, numbered (i.e., Page \_\_ of \_\_) and accounted for, the BMEU/DMU acceptance clerk will sign and postmark (round date) each of the *Certificate of Mailing - Firm* forms presented, and return them to the mailer. See **Postmarking** for additional details.
- (f) Accept the mailing for dispatch.

## (2) Postmarking

USPS employees must postmark each page of the PS Form 3665 or USPS-approved facsimile. Ensure that the date-stamp has sufficient ink. **Note:** Customers presenting *Certificate of Mailing-Firm* with a summary sheet may not request that only the summary sheet be postmarked. Return the form to the mailer to

serve as the mailer's receipt. Do not retain copies of the Certificate of Mailing firm pages for USPS files.

### (3) Postmarking Corrections

In the rare case in which there was a failure by USPS to stamp every page, mailers may request a correction, within three business days from the date that the forms were originally presented to USPS. The entire *Certificate of Mailing-Firm* (all pages/firm sheets) previously verified by USPS must be presented by the mailer requesting a review of the pages that they claim are missing a postmark. If the USPS can confirm that there was an administrative oversight on our part that prevented every page from being legibly postmarked, then authorization from the Postmaster or USPS manager to make a correction must be obtained. Their designee then may follow these steps:

- (a) Use the Certificate of Mailing date-stamp to postmark the page(s) not previously postmarked with the mailing date. Ensure that the date-stamp has sufficient ink and that the date stamped is the original date of the Certificate of Mailing (as postmarked on the other pages of the certificate).
- (b) Return the form to the mailer to serve as the mailer's receipt. Do not retain copies of the Certificate of Mailing firm pages for USPS files. Keep (retain for five fiscal years for USPS accounting purposes) a record of all corrected postmarks, including denied requests for corrections, using the log file shown in Exhibit 822.111.

Exhibit 822.111

## Postmarking Corrections Log

[illegible]

[illegible]821.112 **Rural Carriers**

Mailers on rural routes and nonpersonnel rural units may provide mail to the rural carrier with the fee for the certificate. The carrier obtains the certificate at the Post Office, attaches the stamps, cancels them by postmark, and delivers the certificate to the mailer on the next trip.

## 821.12 After Mailing

To obtain an additional certificate after mailing (PS Form 3817), the mailer must present the original certificate and an additional certificate endorsed "Duplicate," or a copy showing the original dates of mailing. The additional certificate must be postmarked to show the current date.

## 821.13 Certificate of Bulk Mailing

Certificate of Bulk Mailing—Domestic service is available for Priority Mail, First-Class Mail, First-Class Package Service, Parcel Select, Parcel Select Lightweight, USPS Marketing Mail (excluding Customized MarketMail), USPS Retail Ground, Bound Printed Matter, Library Mail, and Media Mail. Each form must be presented at the time of mailing and must be postmarked (round-dated) after verification.

PS Form 3606-D, *Certificate of Bulk Mailing–Domestic*, replaced the PS Form 3606, *Certificate of Bulk Mailing*. PS Form 3606-D, or a USPS-approved mailer generated facsimile, is permitted at retail when presenting a mailing of fewer than 50 pieces and less than 50 pounds of identical weight mailpieces and is permitted at a Business Mail Entry (BMEU) or USPS-authorized Detach Mail Unit (DMU) when presenting at least 50 pieces or 50 pounds (fewer if management deems reasonable) of corresponding articles at one time.

#### 821.131 **Retail RSS and POS Offices**

Check to ensure that the mailer is using PS Form 3606-D for an identical weight mailing fewer than 50 pieces and less than 50 pounds, whichever amount is met first. Verify that the Certificate of Bulk Mailing data fields on the form correspond to the mailing information.

The steps for the acceptance process for PS Form 3606-D are as follows:

- a. Review the Certificate of Bulk Mailing form for completion.
- b. Verify postage is affixed on each mailpiece.
- c. The sales and services associate will place mailpieces on the scale and record the total weight. Then, weigh a single mailpiece and record its weight. Next, multiply the single-piece weight by the number of pieces in the mailing (as reported on the form) and compare that amount against the total weight of all the mailpieces. If the amounts match, continue with items d through f.
- d. Select the 'Bulk Mailing-Domestic' (max QTY 49) option in RSS or POS and follow the screen prompts to continue the payment steps and complete the transaction process.
- e. Upon completion of the transaction process, the sales and services associate will sign and postmark (round date) the PS Form 3606-D and return it to the mailer.
- f. Accept the mailing for dispatch.

#### 821.132 **Manual Post Offices**

Check to ensure that the mailer is using PS Form 3606-D for an identical weight mailing fewer than 50 pieces and less than 50 pounds. Verify that the Certificate of Bulk Mailing data fields on the form correspond to the mailing information.

The steps for the acceptance process for PS Form 3606-D are as follows.

- a. Review the Certificate of Bulk Mailing form for completion.
- b. Verify postage is affixed on each mailpiece.
- c. The sales and services associate will place mailpieces on the scale and record the total weight. Then, weigh a single mailpiece and record its weight. Next, multiply the single piece weight by the number of pieces in the mailing (as reported on the form) and compare that amount against the total weight of all the mailpieces. If the amounts match,
- d. continue with items d through f.
- e. Complete transaction by charging the postage for the fees and affixing it to the form if the mailer did not already affix postage.

- f. Upon completion of the transaction process, the sales and services associate will sign and postmark (round date) the PS Form 3606-D, and return it to the mailer.
- g. Accept the mailing for dispatch.

#### 821.133 **BMEU/DMU Sites**

Check to ensure that the mailer is using PS Form 3606-D for an identical weight mailing of at least 50 pieces or 50 pounds, or fewer if management deems reasonable.

The BMEU/DMU acceptance process for Certificate of Bulk Mailing has not changed. The steps for the acceptance process for PS Form 3606-D are as follows:

- a. Review the Certificate of Bulk Mailing form for completion.
- b. Verify postage is affixed on each mailpiece.
- c. The acceptance clerk should perform a weigh verification with the below steps:
  - (1) Choose at least 10 pieces to weight from the mailing and obtain the average weight of a single mailpiece in ounces and/or pounds.
  - (2) Place the complete mailing on the scale to obtain gross weight. If the mail is in a container, the tare weight is required. (Tare weight of the mailing containers (trays, sacks, pallets and rolling stock) can be found in the following locations; marked directly on the USPS container (if marked use the provided weight); may not be provided on the container (if the weight is not marked, place the empty container on the scale and record weight).
- d. Verify payment of fees is reflected accurately on the form.
- e. Upon completion of the transaction process, the acceptance clerk will sign and postmark (round date) the PS Form 3606-D, and return it to the mailer.
- f. Accept the mailing for dispatch.

## 822 **Return Receipts**

### 822.1 **Delivery**

#### 822.11 **Procedures**

##### 822.111 **Delivering Employee**

The delivering carrier or window clerk must obtain on the barcoded PS Form 3811, *Domestic Return Receipt*, either the signature or the authorized signature stamp of the individual or organization receiving the article in item 6. The recipient must also print his or her name in item 5. Except when following [823.1](#), do not make restricted delivery (to addressee or authorized agent only) unless requested on barcoded PS Form 3811. The delivery employee must complete the date of delivery if the addressee has not already done so. Complete the addressee's address in item 8 only if requested in item 1. The delivering employee must examine the card for



completeness and make any necessary corrections. Postal Service employees must give return receipts to the clearing clerk daily.

822.112 **Clearing Employee**

The clearing clerk must check all return receipts to make sure that they are properly signed and dated. If the mailer requested restricted delivery, the clearing employee should check to see that delivery was not made to an agent, except under [823.2](#). If delivery was improper, the addressee must sign a second return receipt. Prompt corrective action must be taken with delivery employees if return receipts are improperly handled or completed. A properly completed return receipt must be mailed no later than the first workday after delivery. Undeliverable articles must be handled under [68](#).

822.2 **Signature Stamps**

822.21 **Federal or State Officials**

A return receipt on mail addressed to a federal or state official may be signed for with a stamp showing the name and location of the accepting organization (e.g., “The White House, Washington, DC”). The hand stamp must be sized to fit within the Printed Name and Delivery Address blocks of the November 1999 or later version of PS Form 3849, *Delivery Notice/Reminder/Receipt*. The stamp must not overlap into the Signature block or barcode section.

822.22 **Large Companies or Organizations**

A return receipt addressed to a large, well-known company or organization may be signed for with signature stamps approved by the postmaster. In accordance with the electronic signature capture process, the hand stamp must be sized to fit within the Signature and Printed Name blocks of the November 1999 or later version of PS Form 3849, *Delivery Notice/Reminder/Receipt*. The stamp must not overlap into the delivery office information section or the Delivery Address block of the form. The company must provide the Post Office with a written statement saying that the person whose name appears on the stamp is the same as the person who is authorized to accept accountable mail. A sample of the authorized employee’s signature must be submitted and verified against the signature appearing on the stamp.

823 **Restricted Delivery**

823.1 **General**

Deliver mail marked “Restricted Delivery” only to the addressee or to the person authorized in writing as the addressee’s agent to receive the mail.

823.2 **Special Circumstances**

Restricted delivery mail is usually handled as follows for addressees under these circumstances:

- a. *Famous Personalities and Corporate Executives.* To famous personalities and executives of large organizations, the mail is normally delivered to an agent authorized to sign for such mail.

- b. *Government Officials.* To officials of executive agencies or members of the legislative and judicial branches of the government of the United States or of the states and possessions and their political subdivisions, or to members of the diplomatic corps, the mail is delivered either to the addressee or a person authorized to receive the addressee's mail by the addressee or by regulations or procedures of the agency or organization.
- c. *Military Personnel.* To the commander, staff sections, or other officials of military organizations by name and title, the mail is delivered to the unit mail clerk, mail orderly, postal clerk, assistant postal clerk, or postal finance clerk when such individuals are designated on DD Form 285, *Appointment of Unit Mail Clerk or Mail Orderly*, to receipt for all mail addressed to the units for which they are designated. If the individual accepting mail is designated on DD Form 285 to receipt for ordinary mail only, then restricted delivery mail addressed to the commander, or other official by name and title, is delivered to the mail clerk only if authorized by the addressee under [823.3](#).
- d. *Inmates.* To an inmate of a city, state, or federal penal institution, in cases where a personal signature cannot be obtained, the mail is delivered to the warden or designee.
- e. *Minors or Persons Under Guardians.* To minors or to persons under guardianship, the mail may be delivered to their parents or guardians.

### 823.3 **Agent Authorization**

#### 823.31 **Standing Authorization**

Addressees who regularly receive restricted delivery mail may authorize an agent by use of PS Form 3801, *Standing Delivery Order*, or by a letter to the postmaster. The notation, "This authorization is extended to include restricted delivery mail," must be made by the addressee on PS Form 3801 (in the area provided for signatures of authorized agents) or in the letter to the postmaster.

#### 823.32 **PS Form 3849 Authorization**

PS Form 3849, *Delivery Notice/Reminder/Receipt*, may be left for authorization if the Post Office has no standing delivery order (PS Form 3801) or letter on file. The addressee may enter the name of the agent designated to sign for the article in the space provided on PS Form 3849 and sign the authorization. At delivery, the agent must sign and print his or her name on the back of the form in the delivery section. The delivery employee from an electronic record management office must scan/enter the mailpiece barcode, enter the authorized agent event code, and scan and properly complete the corresponding PS Form 3849.

### 823.4 **Addresses**

#### 823.41 **Addressed to Two or More Persons**

Mail addressed to two or more persons is handled as follows:

- a. *Jointly Addressed.* When mail is addressed to two or more persons jointly (as shown by the word "and" or symbol "&" connecting their

names), all addressees or their agents are notified to be present to accept delivery together. The delivery receipt obtained and the return receipt, if any, must be signed by all joint addressees or their agents. The mail may then be delivered to any of the addressees or their agents unless one or more addressees or their agents object, in which case delivery is not made until all the addressees or their agents sign a statement designating who is to receive the mail.

- b. *Addressed "In Care Of."* Either person may sign for mail addressed to one person in care of another.

#### 823.42 **Identification**

The addressee (or agent) must provide an acceptable primary form of identification (see [131.3](#)) if the addressee (or agent) is not known to the delivering employee.

### 824 **Return Receipt for Merchandise**

#### 824.1 **Procedures**

Return receipt for merchandise mail for delivery by carriers must be taken out on the first trip after it is received, unless the addressee requests the postmaster to hold such mail at the Post Office. Return receipt for merchandise mail must be delivered to the addressee or authorized representative. A signature must be obtained on PS Form 3849, *Delivery Notice/Reminder/Receipt*. If the mailer shows on the mailing label that delivery is to be made without obtaining the signature of the addressee or the addressee's agent, the delivery employee must sign the return receipt in the "Signature: (Addressee or Agent)" block, sign PS Form 3849 in the "Signature" block, and leave the article. PS Form 3849 should be initialed and dated in the "Delivered By" block. Similarly, if the addressee authorized unprotected delivery, articles should be delivered under [617.2](#). The delivery employee should complete PS Form 3849 and the return receipt as above.

#### 824.2 **Rural Delivery**

For delivery by rural carriers or at personnel and nonpersonnel rural units, see [65](#).

#### 824.3 **Highway Contract Route Delivery**

Highway contract route carriers deliver return receipt for merchandise mail if required by the contract, but delivery is made only at the customer's box or along the route.

#### 824.4 **Delivery Records**

Delivery records must be maintained for 2 years. After that period, the records are destroyed. See [811](#) for filing delivery records.

#### 824.5 **Notice of Arrival**

The carrier must leave a notice of arrival on PS Form 3849 if he or she cannot deliver the return receipt for merchandise article for any reason. The article is brought back to the Post Office and held for the addressee. Electronic record management sites must scan/enter the mailpiece barcode and enter the

appropriate event code in the handheld scanner. If the article is not called for within 5 calendar days, a second and final notice on PS Form 3849 must be issued. If the article is not called for or redelivery of the article is not requested, it is returned at the expiration of the period stated by the sender, or after 15 calendar days if no period is stated.

#### 824.6 **Delivery at Post Office**

Hold return receipt for merchandise mail at a place convenient for the public to call if addressed for box or general delivery or for firm callers, or if PS Form 3849 was left for addressee to call. Place PS Form 3849 in Post Office boxes for box-service customers. Use PS Form 3883, *Firm Delivery Receipt for Accountable Mail and Bulk Delivery Mail*, for firms or other customers who receive an average of six or more return receipt for merchandise articles at one delivery. Electronic record management sites must scan/enter the mailpiece barcode if appropriate and enter the appropriate event code in the handheld scanner.

#### 824.7 **Carrier Controls**

##### 824.71 **Assignment**

Send return receipt for merchandise mail, including that for firms, to a unit or employee designated to assign it for delivery. Assign as follows:

- a. *Individual Pieces.* Offices with 190 or more revenue units must use PS Form 3867, *Accountable Mail Matter Received for Delivery*, to show the total number of pieces given to each carrier. Carriers should sign PS Form 3867.
- b. *Firm Mail.* Prepare PS Form 3883 in duplicate for addressees who receive an average of three or more pieces at one time.

##### 824.72 **Clearance**

The clearing clerk must clear carriers and messengers in the following manner:

- a. Have carriers or messengers account in bulk for all return receipts for merchandise articles charged to them, either by signed receipts or returned articles. If any article or return receipt is not accounted for, make an immediate report to the supervisor. Endorse the chargeout record when clearing is complete.
- b. Sign and give back to the carrier or messenger PS Form 3821, *Clearance Receipt*, which is prepared and submitted when accounting for certified and return receipt for merchandise articles and return receipts assigned for delivery.
- c. When articles returned as undeliverable by a carrier or messenger are forwarded or returned, show disposition on PS Form 3867. Manual record management sites must prepare a disposition record on PS Form 3849, including the name of the addressee. File PS Form 3849 with the delivery receipts. Electronic record management sites must scan/enter the barcode and enter the appropriate event code in the handheld scanner.

- d. Examine all return receipts. Make sure that they are properly signed and that the date of delivery is entered. If delivery was improper, have the carrier or messenger obtain the addressee's signature on another receipt card and destroy the original after the duplicate is signed. Mail the receipts no later than the next workday.
- e. It is the supervisor's responsibility to take prompt corrective action with the delivering employee if return receipts or delivery receipts are not obtained or properly completed.
- f. If the mail is not delivered in 5 days, issue a second and final notice to the addressee on PS Form 3849 marked "FINAL NOTICE." Send it through regular channels with the addressee's ordinary mail.

#### 824.73 **Delivery to Military Installations**

Return receipt for merchandise mail addressed for delivery at military installations within the continental United States must be delivered to the military installations in the same manner as mail insured for \$500 or more.

#### 824.74 **Filing Delivery Receipts**

See [811](#) for instructions on filing delivery receipts.

#### 824.75 **Undeliverable**

Handle return receipt for merchandise mail that is undeliverable or to be forwarded under [68](#).

### 824.8 **Acceptance Procedures**

#### 824.81 **Individual Mailings**

The window clerk should verify individual mailings as follows:

- a. Compare name and address of addressee on the article and on PS Form 3804, *Return Receipt for Merchandise*.
- b. Make sure the article bears the proper endorsement.
- c. Examine the return receipt card to determine whether the proper blocks in instructions to the delivering employee are checked and whether the card is securely attached. Make sure the address is completed by the sender (mailer).
- d. Make sure the proper postal charges are paid by stamps or meter strip affixed
- e. Postmark the receipt part of PS Form 3804 and give to the sender. Initial by the entry on the receipt, in ink, the time the article is mailed if requested by the sender.
- f. Deposit article in mail. Do not return to the sender.

#### 824.82 **Large-Volume Mailings**

The following steps are in addition to any other acceptance and verification procedures required for the method of postage payment used.

- a. Randomly select return receipt for merchandise articles from the mailing and match the return receipt for merchandise number against PS Form 3877, *Firm Mailing Book for Accountable Mail*. Select a random sampling, as follows:

Articles in Mailing	Sampling Size Number of Articles
1-299	10 percent of mailing
300-1,999	30 articles
2,000-3,999	40 articles
4,000-5,999	50 articles
6,000-7,999	60 articles
8,000-9,999	70 articles
10,000-99,999	100 articles

- b. On each article selected for sampling, do the following:
  - (1) Make sure that the article is properly endorsed.
  - (2) Verify that the postage and fees are correctly paid and entered on the Firm Mailing Book.
- c. If the postage and/or fees on a sample article are not correct, take an entire new sampling, the same size as the original. If the second sampling is correct, accept the mailing and make a postage and/or fee adjustment for the incorrect amount. If the second sampling has an error, return the mailing to the mailer for correction.
- d. Collect any postage and/or fees due from the mailer.
- e. Postmark and sign the FMB in ink and give it to the mailer. Enter the time that the articles are mailed if requested to do so by the mailer, and place your initials in ink by the entry.
- f. Perform these verifications on all mailings.
- g. Deposit articles in mail. Do not return to mailer.

#### 824.83 **Filing an Inquiry**

Senders may file an inquiry for loss or rifling by submitting PS Form 1510, *Mail Loss/Rifling Report*, at any Post Office.

#### 824.84 **Delivery Verification**

If the return receipt for this service is not received, mailers may obtain a copy of the delivery record by making a request at the Post Office. The office will submit the request via either the Postal Service Intranet or PS Form 3811-A, as appropriate.

### 825 **Mailing List Services**

#### 825.1 **Correction of Mailing Lists**

Mailing lists submitted by members of Congress, federal agencies, departments of state governments, municipalities, religious, fraternal, and recognized charitable organizations, and mailing lists used by concerns or persons for the solicitation of business-by-mail will be corrected as frequently as requested. Postal employees must not compile mailing lists, including occupant lists. Persons other than postal employees may not copy or record by any other means names or addresses from city or rural carrier cases.

825.2 **Furnishing Address Changes to Election Boards and Registration Commissions**

Residential change-of-address information is available to duly constituted election boards or registration commissions using permanent registration.

825.3 **Address Card Arrangement**

Arrange address cards in sequence of carrier route delivery, without charge.

825.4 **Reference**

See DMM 507 for additional information.

826 **Change-of-Address Orders**

Encourage customers to file a change-of-address order prior to a temporary absence or permanent move. Customer have the following three options for filling temporary and permanent changes:

- a. Use Internet Change of Address (ICOA) at <https://moversguide.usps.com>. Customers using the ICOA method must provide a valid credit card number for identity verification. The customer's credit card is charged \$1.05 for the verification.
- b. Obtain Publication 75, *Mover's Guide*, which contains the necessary forms. The customer should complete PS Form 3575, *Change of Address Order*, or other written notice and drop it in the mail or submit it to any Post Office.

See subchapter [68](#) for handling mail that is undeliverable-as-addressed.

## 83 Money Orders

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831 **Issuance**

831.1 **Issuance Procedures**

831.11 **General**

Money orders must be issued on the money order imprinter provided to issuing offices or by other authorized postal systems. Handwritten issuance is prohibited.

831.12 **Imprinter Preparation**

At the start of a duty tour, the issuing clerk receipts for blank money order sets by signing control registers kept on Item O-137a. At the workstation, the clerk verifies that the issue ID is correct and sets the appropriate date on the imprinter. (The setting from left to right is year, month, and day, for example, 920617 for June 17, 1992.)

831.13 **Imprinting Money Order**

Before imprinting each money order, clerks must verify that the proper data is set. Set the five amount keys to the requested amount (never more than \$700) and verify the money setting displayed in the windows on the top of

the imprinter. Next, completely insert the form set into the imprinter. Finally, imprint the money order by pulling the lever all the way forward.

#### 831.14 **Completing Transaction**

Remove the imprinted form set and move the amount keys back to their asterisk position. Detach the voucher and verify that the date, office number, and amount are legible on all parts. (See [831.3](#) for spoiled orders.) Both customer and clerk should verify the dollar amount. Collect payment for the dollar amount and the fee. After collection of the dollar amount and fee, give the customer the rest of the form set (customer receipt, money order, and the carbons). Place the voucher in the proper receptacle for end-of-day reporting.

#### 831.15 **Inoperable Imprinter Procedures**

Manual issuance of money orders is not permitted. Inoperable imprinters must be replaced or restored to service as quickly as possible. In the event an imprinter is deemed inoperable and in need of service, refer to the operator's manual. There is a manufacturer's warranty on the imprinters. While service is disrupted, customers must be advised of the anticipated time that service is to be restored and of the location of nearby facilities where service is available. Also, they are allowed to apply on PS Form 6387, *Rural Money Order Transaction Application*, for immediate issuance of an order when service is restored. In such instances, procedures as prescribed for issuance to rural customers in [831.2](#) apply, except that mailing of order to payee, and order and/or customer receipt to customers are at Postal Service expense.

#### 831.16 **Owner Responsibilities**

The owner is responsible for completing the information of both the money order and the customer's receipt. The Postal Service does not guarantee a 100 percent refund if the customer's receipt is not presentable when a claim for refund is made on a lost or stolen money order. Buyers must fill in the names and addresses of the payee and the buyer on the money order and the customer's receipt. This should be done promptly to protect the buyer's rights if inquiries are made later. Money orders are to be made payable to one identifiable person, firm, or agency. Customers may make money orders payable to themselves.

#### 831.2 **Issuance to Rural Customers**

##### 831.21 **Procedures**

The following list outlines how to provide money order service to rural route customers. These procedures also apply to any highway contract carriers whose contract requires money order service.

- a. The carrier supplies PS Form 6387, *Rural Money Order Transaction Application*, on request.
- b. The customer completes the application part of PS Form 6387, returns the entire form to the carrier, and pays for the money order. The carrier completes and detaches the customer receipt part of PS Form 6387 and returns it to the customer with instructions to save it in case there are future questions about the transaction. (Exception: If unable to



make correct change, the carrier gives the change to the customer on the next delivery trip.)

- c. The money order request is processed at the Post Office when the carrier returns.
- d. On the next trip, the carrier delivers the money order, the customer receipt part of the money order form set, and the application part of PS Form 6387 in an addressed envelope.

#### 831.22 **Mailing**

A customer may request the Post Office to mail the money order to the payee. A Postal Service employee completes the money order and mails it to the payee. No extra charge is made for this service. However, the customer must provide a stamped, addressed envelope large enough to hold the money order without folding. The carrier delivers the application part of PS Form 6387 and the customer receipt part of the money order form set in an addressed envelope on the next trip. Blank money orders must never be mailed.

#### 831.23 **PS Form 6387 for Rural Carriers**

Postmasters must furnish rural carriers PS Form 6387 for transacting money order business.

#### 831.24 **Nonpersonnel Rural Units**

The procedures outlined in [831.21](#) must be followed in providing money order service to customers of nonpersonnel rural units. Customers should meet the carrier at the station or branch. A supply of applications is kept at the station or branch.

#### 831.25 **Issuance to Highway Contract Route Customers**

If required to do so by the contract, highway contract route carriers accept money and applications for money orders and give receipts for the money on PS Form 6387. Unless an intermediate office is involved, the application and money must be turned in for issuance of the money order at the Post Office where the carrier's trip begins and ends. If possible without delay to the issuance of the money order or to the proper dispatch of mail, the carrier submits the money order application and money to the intermediate office for issuance. When the money order is not issued before the carrier leaves the Post Office, the carrier must be given a receipt on PS Form 3544, *USPS Receipt for Money or Services*, for the funds turned in. After the money order is issued to the carrier, annotate on PS Form 3544 that the money order was issued and include the date. In all other respects, money order procedures for highway contract route carriers are the same as for rural carriers.

#### 831.3 **Spoiled or Incorrectly Prepared Money Orders**

##### 831.31 **Issuance of New Money Order**

A new money order must be issued for the following reasons:

- a. *Post Office Error.* The blank money order stock is defective or a money order has been ruined during imprinting.
- b. *Customer Error.* A money order has been spoiled during completion or by accidental mutilation.

831.32 **Procedures**

Treat a spoiled or incorrectly prepared order as follows:

- a. *On Date of Issue.* Handle the spoiled order as follows:
  - (1) *Customer's Receipt.* Recover and destroy immediately.
  - (2) *Voucher Copy.* Destroy immediately for money orders spoiled on the day of issuance.
  - (3) *Money Order.* Stamp or mark "Spoiled" in the "Pay to" or "From" area. Be sure not to obliterate any *imprinted data*. When the office number or date do not appear or are illegible, write them on the order below and outside the read band. Do not stamp, mark, or write in the upper one-third of the money order. Do not intermingle a spoiled money order with the voucher copies of issued orders. Do not attach anything to the spoiled orders. Each clerk must identify and submit the spoiled money orders as a separate group to a verifying manager or designated employee, who must then destroy the spoiled money orders.
- b. *After Date of Issue.* Determine that the order is not altered. Recover the customer's receipt and annotate it "Replaced by Money Order Serial No. \_\_\_\_." Do not attempt to recover the voucher copy. Obtain the customer's endorsement on the back of the order. Handle the money order as if it were made payable to the buyer and include with other Postal Service funds deposited.
- c. *If Refused by Bank or Damaged:* If a bank refuses to accept an incorrectly prepared money order for deposit, the Post Office initiates a PS Form 6401, *Money Order Inquiry*, and sends it to:
 

MONEY ORDER BRANCH  
ACCOUNTING SERVICE CENTER  
US POSTAL SERVICE  
PO BOX 82453  
ST LOUIS MO 63182-9453

When a customer presents a damaged postal money order, the Post Office asks the customer for the matching postal money order receipt and requests that the customer complete and sign a PS Form 6401, *Money Order Inquiry* (see Note below for customers who do not have a matching money order receipt). The Post Office issues a replacement no-fee postal money order for the amount claimed on PS Form 6401, writes "No-Fee Money Order Issued" and the no-fee serial number on the form, and postmarks it. The Post Office destroys and disposes of the damaged money order and submits the PS Form 6401 to the address in item c above.

After issuing a replacement no-fee postal money order, the Post Office uses AIC 641, Replacement Money Order Issued, to offset the amount claimed and AIC 586, Fee Offset — No-Fee Money Order, to offset the fee of the replacement money order.

**Note:** If a customer does not have the matching postal money order receipt for a damaged money order, the Post Office asks the customer to (1) complete and sign a PS Form 6401 and to (2) submit it with the

damaged money order to the Money Order Branch (see address above) for expedited replacement processing and mailing to the customer.

### 831.33 **Fee**

Fees for spoiled money orders are handled as follows:

- a. No fee is charged, whether the customer or the Postal Service clerk made the error.
- b. To account for the noncollected fee, the amount of the money order is entered in AIC 100, *Domestic Money Order — Value*; the amount of the fee that should have been collected is entered in AIC 101, *Domestic Money Order — Fee*; and offset the entry to AIC 586, *Fee Offset — No Fee Money Order*. Submit the customer's receipt for the incorrectly prepared money order with PS Form 1412-A to support the "Fee Offset" entry.

## 832 **Cashing**

### 832.1 **Examination of Order by Postal Employee**

#### 832.11 **Procedure**

When accepting a money order from a customer, examine the order as follows:

- a. Determine whether the money order is already reported as stolen. If so, try to delay the customer while notifying local police, nearest postal inspector, or postal inspector-in-charge. Hold the order for instructions.
- b. Ensure that the money order is properly imprinted and drawn by the issuing office. Orders are payable in the amount imprinted by the machine and for no more than the allowed maximum.
- c. Determine whether the money order bears any alterations or erasures. Require positive identification. Hold money order to light and examine. Ensure that in direct light there are no areas (especially the dollar amount) where more light passes through the form, because this could mean that the money order has been altered. If the cashier believes a money order is altered, the cashier must contact the postmaster or the postmaster's representative. If the postmaster also believes the money order is altered, then the Inspection Service must be notified immediately.
- d. Ensure that the money order is presented by the payee, endorsee, or buyer. (A duplicate money order is payable only if presented by the payee or by his or her endorsee.) Money orders bearing rubber-stamped endorsements may be accepted from responsible individuals or business firms if a specimen of the endorsement to be used is filed with the postmaster over the signature of the individual, or an authorized officer of the company accepting responsibility for the payment of orders so endorsed.

**832.12 ASC Verification**

If in doubt about the date or amount on a domestic money order, verify the information by sending an inquiry to:

MONEY ORDER BRANCH  
ACCOUNTING SERVICE CENTER  
US POSTAL SERVICE  
PO BOX 82453  
ST LOUIS MO 63182-9453

or by telephoning the Money Order Branch at 314-436-5075.

**832.2 Identification of Payee**

When presenting a money order for payment, the payee must sign in the presence of a Postal Service employee. If the payee is not personally known to the Postal Service employee, the payee must provide an acceptable primary form of identification (see [131.3](#)). The Postal Service may refuse payment on any money order when the payee's identity is not proven to the satisfaction of the Postal Service employee.

**832.3 Disposition of Paid Orders**

Put the office dating stamp and initials on the back of the money orders paid and handle them as Postal Service funds. When a customer regularly presents many money orders for payment, write to the Money Order Branch for special handling instructions.

**832.4 Foreign Money Orders**

See IMM 371.5 for the procedures for cashing money orders issued by foreign countries.

**833 Photocopy or Replacement of Paid Money Orders**

After the Money Order Branch has received PS Form 6401, *Money Order Inquiry*, the following procedures apply:

- a. If the money order has been cashed, a photocopy is sent to the customer filing the inquiry. A photocopy can be obtained only within 2 years of the money order payment date.
- b. If the money order has not been cashed, the Money Order Branch sends a replacement money order after 60 days from the date of purchase. A replacement order is sent to the payee designated in the "Send Refund To" part of PS Form 6401.

**834 Wrong Payment****834.1 Through Error Only**

If a money order intended for one person or firm is paid to another by a Postal Service error, the following procedures apply:

- a. The Money Order Branch advises both the issuing office and the correct payee, by letter, that a new money order is to be issued by the issuing office.
- b. The issuing office, after reissuing a new money order to the correct payee, places the amount of the money order in suspense.
- c. The issuing office initiates collection from the endorser of the original money order.
- d. The issuing office should keep the letter and photocopy from the Money Order Branch until the amount in suspense is cleared.
- e. Any fee paid by the customer for the copy of the original money order should be refunded by the postmaster.

**834.2 Through Alleged Forgery**

When improper payment is alleged, the buyer or payee must notify the Money Order Branch, St. Louis Accounting Service Center. On notification, the Money Order Branch sends the payee a claim/questionnaire form to be completed only by the payee. As soon as the Money Order Branch receives the photocopy of the improperly cashed money order and the completed claim/questionnaire form, the buyer or payee is reimbursed if the claim is deemed valid, unless the domestic money order was sent to a foreign country. Reimbursement for a domestic money order sent to a foreign country requires a longer processing period. This is because a refund is required from the presenting institution before the buyer or payee can be reimbursed.

**835 Nonpostal Money Orders****835.1 By Postal Employees**

Postmasters and employees must not sell nonpostal money orders, checks, or similar instruments for the transmission of money.

**835.2 By Contract Units**

Nonpostal money orders sold by contract and personnel rural stations and branches are separate from the Postal Service operations and must not be identified with that function.

**836 Payments to Banks Through Federal Reserve System****836.1 General**

All money orders are forwarded through the Federal Reserve banking system. Commercial banks provide this service.

**836.2 Presentation for Payment**

Banks may present money orders for payment through the Federal Reserve system.

**836.3 Definitions****836.31 Money Order**

*Money order* means a U.S. Postal Money Order.

**836.32 Federal Reserve Bank**

*Federal Reserve bank* means a Federal Reserve bank or branch thereof that presents a money order for payment by the Postmaster General.

**836.33 Presenting Bank**

*Presenting bank* means a bank that presents a money order to a Federal Reserve bank and receives credit for it from the Federal Reserve bank.

**836.34 Reclamation**

*Reclamation* means the action taken by the Postmaster General to obtain refund of the amounts of paid money orders.

**836.35 Examination**

*Examination* includes examination of money orders for indicia of theft, forged endorsements, forged signatures or initials of issuing employees, raised amounts, and other material defects by electronic methods and visual inspection for defects that cannot be electronically discovered.

**836.36 Stolen Money Order**

*Stolen money order* means a U.S. Postal Money Order stolen from a Post Office, classified or contract station or branch, or Postal Service employee before it is officially issued by the Post Office, classified or contract station or branch, or Postal Service employee in discharging his or her official duties.

**836.4 Payment**

The Postmaster General has the usual right of a drawee to examine money orders presented for payment by banks through the Federal Reserve system and to refuse payment of money orders. The Postmaster General also has a reasonable time after presentation to make each examination. Provisional credit is given to the Federal Reserve bank when it furnishes the money orders for payment by the Postmaster General. Money orders are deemed to be paid only after examination is fully completed, subject to the Postmaster General's right to make reclamation under [836.6](#).

**836.5 Endorsements**

The presenting bank and the endorser of a money order presented for payment are deemed to guarantee to the Postmaster General that all prior endorsements are genuine, whether an express guarantee to that effect is placed on the money order. When an endorsement is made by a person other than the payee, the presenting bank and the endorser are deemed to guarantee to the Postmaster General, in addition to other warranties, that the

endorser was not authorized to endorse the money order in behalf of the payee.

#### 836.6 **Reclamation**

The Postmaster General has the right to demand refund from the presenting bank of the amount of a paid money order if, after payment, the money order is found to have been stolen, to bear a forged or unauthorized endorsement, or to contain any material defect or alteration that was not discovered on examination. Such right includes, but is not limited to, the right to reclaim the amount by which the genuine money order, bearing a proper endorsement, has been raised. Such right must be exercised within a reasonable time after the Postmaster General discovers that the money order has been stolen, bears a forged or unauthorized endorsement, or is otherwise defective. If refund is not made by the presenting bank within 60 days after demand, the Postmaster General takes such actions as may be necessary to protect the interests of the United States.

## 84 Other Delivery Services

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### 841 **Post Office Box Service**

#### 841.1 **Purpose and Definition**

##### 841.11 **General**

Post Office box service is a premium service offered for a fee to customers requiring more than free carrier or general delivery. Post Office boxes allow customers to obtain their mail during the hours the box lobby is open. Post Office box service does not include alternate means of delivery established to replace, simplify, or extend carrier delivery service.

##### 841.12 **Obtaining Service**

##### 841.121 **Application**

Procedures for applying for Post Office box service are as follows:

- a. PS Form 1093, *Application for Post Office Box or Caller Service*, is used to apply for Post Office box service. Blank applications are available at any Post Office. An applicant must complete all spaces on the form that require customer-provided information and submit the completed form to any postal facility that provides window service to the public. The facility where the application is submitted need not be the same as that at which the Post Office box service is desired. Furnishing false information on the application or refusal to furnish required information may be sufficient reason for denial of the application or discontinuance of service.
- b. The employee accepting an application must do the following:
  - (1) Complete the verification in [841.122a](#) or [841.122b](#).
  - (2) Date the application on the reverse side with an Item 570, *All Purpose Dating Stamp*.

- (3) If Post Office box service is desired at a postal facility other than that at which the application is submitted, forward the application to the postmaster of the facility where the service is desired.
- c. The postmaster of the facility where box service is provided must do the following:
  - (1) Approve or deny the application.
  - (2) Notify the applicant of the decision and the reason for any denial.
  - (3) If the application is approved, assign a box number on receipt of the proper fee. Normally, if the address shown on the application is a local address, a box number is assigned at the facility serving that address; or, if an out-of-town address is shown, a box number is assigned at the main office station. Other arrangements may be made at the postmaster's discretion.
- d. A waiting list must be kept of Post Office box applicants when the desired box size is not available.

#### 841.122 **Verification**

An application for Post Office box service may not be approved until the applicant's identity and current permanent physical address where he or she resides or conducts business is verified. Verification criteria are as follows:

- a. *Applicant*
  - (1) An applicant must present an acceptable primary and secondary form of identification with the application (see [131.3](#)).
  - (2) The identification presented must be current. It must contain sufficient information to confirm that the applicant is who he or she claims to be and must be traceable to the bearer. Spouses may complete and sign one PS Form 1093. Each spouse must present an acceptable primary and secondary form of identification. A parent or guardian may receive delivery of a minor's mail by listing the name(s) of each minor on PS Form 1093. Other adult persons who receive mail in the Post Office box of an individual box customer must be listed on PS Form 1093 and must present an acceptable primary and secondary form of identification to the Post Office. Employees or members who receive mail in the Post Office box of an organization box customer must be listed on PS Form 1093. Each person must have verifiable identification, and upon request, present this identification to the Postal Service.
  - (3) When any information required on PS Form 1093 changes, the box customer must update the application on file at the Post Office.
  - (4) Consider an application verified if there is no discrepancy between the information on the application and on the identification presented. If the information on the application does not match that on the identification, verification procedures must be followed to substantiate that the applicant resides or conducts business at the permanent physical address shown. Complete this verification within 3 workdays.



- b. When the location of the current permanent physical address on PS Form 1093 differs from the physical address on the applicant's valid identification, verification procedures are as follows:
  - (1) Use carrier knowledge to confirm that the applicant currently resides or conducts business at the permanent physical address listed on PS Form 1093.
  - (2) In offices without delivery service, the applicant must provide a current acceptable secondary form of identification with the applicant's name and permanent physical address.
  - (3) If the carrier is unable to confirm or the applicant is unable to substantiate the permanent physical address, the application for Post Office box service is not approved.
- c. *Assignment.* A box is assigned immediately after approval of the application and payment of the box fee.

#### 841.123 **Changing Locations**

Post Office box service may be transferred without payment of an additional fee to a box of the same size and fee group at a different facility of the same Post Office. To obtain such a transfer, the box customer must submit a new application on PS Form 1093 to either the location where service was originally provided or to the facility where Post Office box service is desired. A box customer may transfer no more than once in a semiannual payment period and must submit a PS Form 3575, *Change of Address Order*, at the time of transfer. PS Form 1091-A, *Post Office Box Fee Register*, must be endorsed at both the old and new locations to show that service and payment period are transferred. Any requests involving a change to a box of a different size, fee group, transfer to a different Post Office, or more than one transfer in any semiannual payment period must be handled as a new transaction, with the current service subject to the refund provisions of [841.31](#). The exchange of information between facilities required by this section should be made by telephone if possible.

#### 841.124 **Minors**

Post Office box service may be provided to minors unless parents or guardians object in writing to the postmaster.

#### 841.13 **Restrictions on Use**

##### 841.131 **Permissible Matter**

Only matter that passes through the mail or official Postal Service notices may be placed in a Post Office box.

##### 841.132 **Mail Accumulation**

Regulations concerning mail accumulation in Post Office boxes are as follows:

- a. *Time Limit.* Box customers must remove mail promptly from their boxes. If mail is to accumulate for more than 30 days and an overflow condition is probable, the customer must make arrangements in advance with the postmaster. Postmasters should not take remedial action if the accumulation of mail is not an operational problem beyond 30 days.

- b. **Overflow.** When the mail accumulation for a customer's Post Office box is more than the box can hold (a condition defined as overflow) on 12 of any 20 consecutive business days (excluding Saturdays, Sundays, and national public holidays), the customer must change to a box of sufficient capacity or use caller service (see [842.116a](#)). Items too large to fit in a customer's empty box are not counted as overflow. Disregard overflows if prior arrangements are made for an expected accumulation of mail or because of unusual circumstances that interrupt the normal removal of mail from the box. Such instances may occur when individual box customers are on vacation (not applicable to firm, corporate, association, or institutional box customers) or for other valid reasons. Also disregard an overflow that occurs because of a box customer using Priority Mail Express reshipment service. The postmaster determines the sufficiency of a reason and follows these procedures for evaluating overflow:
- (1) A check of the mail volume for a box must be conducted when any employee or supervisor assigned to the box section observes an overflow for that box. Postmasters must instruct employees in the box section to report such overflows to their supervisors.
  - (2) Besides the checks resulting from the ongoing observations, a check must be scheduled for a 5-day period twice each year at every postal facility that offers Post Office box service to the public. All facilities need not be checked in the same 5-day period. During each of these checks, all Post Office boxes in a facility must be observed for 5 consecutive days, excluding Saturdays, Sundays, and national public holidays. As far as practicable, these checks must be scheduled at different times each year so that all the weeks in each 6-month check period are eventually sampled. Do not schedule a check in the same week nor in the week succeeding that of the previous year.
  - (3) Use PS Form 1532, *Semiannual Check of Overflow Mail*, as the record of all such volume checks. Complete a separate PS Form 1532 for only those boxes in which an overflow is observed. If none is observed, endorse a single blank PS Form 1532 to state that no overflows were observed for any box during the regularly scheduled check and place the form in the file. Record overflows on section 1 of PS Form 1532 and continue observations over a 5-day period. During this 5-day period, if PS Form 1532 shows any box with an overflow for 3 or more days, complete the notice on section 3 of PS Form 1532 for each overflow and deliver it to the box customer. After section 3 is issued, continue the observations and record them by completing section 1 and continuing through section 2 of PS Form 1532. Keep PS Form 1532 for 1 year.
  - (4) Discontinue a check if the box is in overflow for fewer than 3 of the first 5 days or less than 12 of the full 20-day test period. When a check is discontinued because of an insufficient number of overflow days in the test period, complete block 1 on section 4

of PS Form 1532 and deliver the form to the box customer who had previously received section 3.

- (5) If a check shows an overflow on 12 of the 20 days in the test period, notify the customer by completing block 2 on section 4 of PS Form 1532. Give the customer 5 days to respond to the notice and to make arrangements under the options listed in section 3 of PS Form 1532. If caller service is adopted, follow the procedures in [842.116a](#). Any customer who is released from caller service because of a follow-up check in [842.116a\(2\)](#) is subject to the checks required by [841.132b1](#) and [841.132b2](#) on resumption of box delivery.

#### 841.133 **Unlawful Activity**

No Post Office box may be used for, or in connection with, a scheme or enterprise that does any of the following:

- a. Violates any federal, state, or local law.
- b. Breaches an agreement with a federal, state, or local agency whereby the box customer has agreed to discontinue a specified activity.
- c. Violates or attempts to evade any order of a court or administrative body.

#### 841.134 **Forwarding**

Boxes may not be used when the sole purpose is, by subsequently filing change-of-address orders, to have mail forwarded or transferred to another address by the Postal Service, free of charge.

#### 841.135 **Holding Period**

The holding period for mail addressed and deliverable to a Post Office box is detailed in [683.26](#).

### 841.2 **Fees**

#### 841.21 **Notices**

##### 841.211 **Date of Placement in Boxes**

Place Notice 32-B, *PO Box Fee Due (FIM B Marking)*, or Notice 32-C, *PO Box Fee Due (FIM C Marking)*, in boxes 20 calendar days before the fee is due. If a box customer is temporarily out of town and has filed a temporary forwarding order, send the notice to the customer.

##### 841.212 **Release to Government Agencies**

Postmark notices before release to government agencies paying fees on an annual basis. Notices must include the box numbers and the amount due for 1 year.

#### 841.22 **Past-Due Box Fee Procedures**

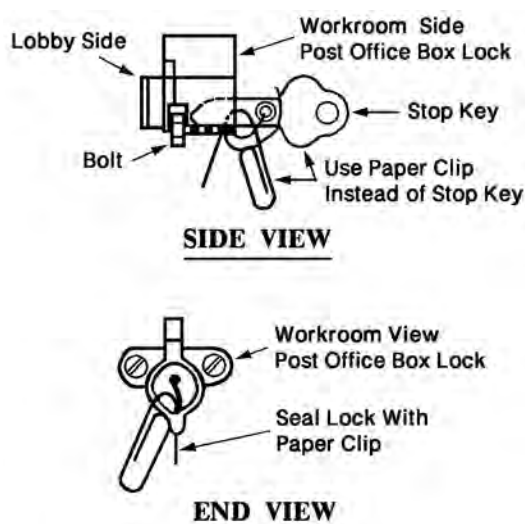
The procedure for handling past-due box fees is as follows:

- a. Plug the lock or change the combination if a Post Office box customer fails to pay the fee by the due date or submits a change-of-address order or otherwise indicates that the service is ended.
- b. Prevent access to a key type lock by securing according to [Exhibit 841.22b](#). If key stops are available, use them. If they are not available, use a paper clip. Key stops are a discontinued item.

- c. Continue to distribute the mail to the box for up to 10 days. If after that time the customer has not paid the fee or given other instructions, remove the mail from the box. Treat that mail and any subsequent mail addressed to the customer at that box as undeliverable mail, unless it is possible to deliver it by carrier or general delivery.
- d. After 10 days, close the box if the customer has not paid the fee or given other instructions.
- e. If the customer pays the fee, unplug the lock or notify the customer of the new combination.

Exhibit 841.22b

#### Plugging Post Office Box Lock



#### 841.3 Refund of Box Fee

##### 841.31 Calculation of Amount

When Post Office box service is terminated or surrendered by the customer, the unused portion of the fee may be refunded as follows:

- a. If service is discontinued any time within the first 3 months of the service period, then one-half of the fee is refunded.
- b. If service is discontinued after the beginning of the fourth month of the service period, then none of the fee is refunded.
- c. If service is discontinued and the customer has prepaid for the next semiannual service period, then the entire fee for that next period is refunded.

##### 841.32 Surrendered Boxes

Consider a box surrendered if any of the following occur:

- a. The box customer refuses or fails to pay the proper fees.
- b. The box customer submits a written notice to discontinue service.
- c. Any person other than the box customer attempts to renew service at the end of the period for which the box is issued.

- d. The box customer, or an appointed executor or administrator of a deceased box customer, submits a permanent change-of-address order, except as provided in [841.33d](#).
- e. A Group E residential box customer files a permanent change-of-address order and no other person listed on the PS Form 1093 files a new PS Form 1093 to become the box customer.

**841.33 Boxes Not Surrendered**

Do not consider a box surrendered if any of the following occur:

- a. A box customer dies or disappears before the end of the period for which the box is issued.
- b. A box customer submits a temporary change-of-address order.
- c. Except as provided in [841.33\(d\)](#) below, a change-of-address order is submitted by any person other than the box customer, or an appointed executor or administrator of a deceased box customer for mail going to the box.
- d. A Group E residential box customer files a permanent change-of-address order and another person listed on the PS Form 1093 files a new PS Form 1093 to become the box customer.

**841.34 Boxes in Discontinued or Relocated Postal Facilities**

Former Post Office box customers of discontinued or relocated postal facilities may obtain a refund of unused box fees when additional travel of 1/4 mile (0.4 kilometer) or more (from the address listed on the applicable PS Form 1093, *Application for Post Office Box or Caller Service*) is required to obtain equivalent service. For refunds processed under this section, refund one-sixth of a semiannual fee for each month remaining in the period. If the effective date of the facility discontinuance falls on or before the 15th of the month, compute the refund from the first day of that month. If the effective date is after the 15th of the month, compute the refund from the first day of the following month.

**841.35 Reassignment of Closed or Surrendered Box**

A box may be issued to another customer 15 days after it is closed by a final decision of the Postal Service (see [841.8](#)), 11 days after surrender under [841.32b](#), and immediately following its surrender under [841.32a](#) or [841.32c](#).

**841.4 Keys**

**841.41 Fee**

Issue keys for key type Post Office boxes to box customers upon receipt of an applicable fee for each key. This fee applies to all keys, including those initially issued to new box customers, if applicable (See Notice 123).

**841.42 Number**

Provide box customers of key type Post Office boxes with as many keys as they need if proper payment is made for each key issued (see [841.41](#)).

**841.43 Restrictions**

Customers using Post Office boxes may not obtain or use any keys except those issued by the Postal Service.

**841.44 New Keys**

Box customers may obtain additional or replacement keys by filling out PS Form 1094, *Request for Post Office Box Key or Lock Service*, and paying the key charge at the time of application (see [841.41](#)).

**841.45 Worn or Broken Keys**

Worn or broken keys are replaced at no charge if the keys are returned.

**841.46 Refund of Key Fee**

After terminating box service, the Postal Service refunds to box customers the refundable key deposits for the initial two keys plus any additional keys listed on PS Form 1094, if the keys are returned to the Post Office where the box was issued.

**841.47 Acceptance of Orders for Additional or New Keys**

Postmasters must not hold orders for new or additional keys (on PS Form 1094) more than 24 hours. Key orders should not be consolidated unless the keys are for an entire unit of boxes.

**841.48 Key Inventory Maintenance**

At least three keys must be provided for each key locking Post Office box. Keep at least one key on hand at all times for issuance to customer on submission of PS Form 1094. After issuing the spare key, order a replacement. Withdraw keys over reserve requirements, tag them to show the key or lock number, file them numerically, and store them in a safe place.

**841.49 Notice to Return Keys**

When a box customer surrenders a box and fails to return all keys, send PS Form 1099, *Notice to Return Keys*, to the former box customer's new address.

**841.5 Locks****841.51 Broken Locks**

Do not use or issue boxes with broken locks. When the lock on an assigned box is broken, replace the lock and issue the same number of keys (at no charge) as issued for the broken lock. Do not require box customers to change boxes or box numbers because of failure of Postal Service equipment.

**841.52 Changing Locks**

Always change the lock immediately when a key type box is surrendered.

**841.53 Changing Combinations**

When a keyless box is surrendered, change the combination before reassignment.

**841.6 Record of Box Customers****841.61 Files**

Keep a record of boxes and box customers on PS Form 1091-A, *Post Office Box Fee Register*, filed as follows:

- a. A PS Form 1091-A for each vacant box in numeric sequence.
- b. A PS Form 1091-A for each box issued, by the month the fee is due, and in numeric sequence within the month.

#### 841.62 **Inventory**

Prepare and keep a master list of all Post Office boxes installed at each facility. The master list must be compared against all PS Forms 1091-A on file by July 1 of each year. When a PS Form 1091-A is not on file for an issued box, a new form must be prepared and the proper Post Office box fees collected. When a PS Form 1091-A is not on file for a vacant box, a new form must be prepared and placed in the vacant box file. An equivalent, existing Post Office box inventory system or diagram showing all installed boxes may be used instead of a master list.

#### 841.63 **Verification**

Facilities charging Group 1 fees (see Notice 123, *Price List*) must review their inventory list for box customers charged Group 2 fees to ensure that those customers are still eligible for those fees. Postmasters or their designees must ask all Group 2 box customers holding a box for more than a year to verify that the information on their PS Form 1093 is current or to update their forms. If the box customer is no longer eligible for the Group 2 fees, but has already paid those fees for the current or next period, the customer is *not* charged the difference. The facility must charge the Group 1 fee, however, beginning with the next period for which the fee is due.

#### 841.7 **Operations**

##### 841.71 **Standards — PO Box Service**

If postmasters find that safety and security provisions allow it and there is sufficient public demand, they may keep the PO Box lobby open to the public 24 hours a day.

##### 841.72 **PO Box Service Up-Time**

Each unit must have a scheduled PO Box up-time for committed box mail to be finalized and available to the customers. This up-time varies from unit to unit and is established based upon variables such as mail arrival time, average mail volumes per trip, and staffing availability.

PO Box services should be scheduled during hours most appropriate to the needs of the majority of customers in the local area. PO Box up-times should be timed to match carrier leave times, since this is the time of day when all mail is available for distribution to PO Boxes. The establishment of the local “PO Box Up-time” is the responsibility of the local postmaster, with district approval. This PO Box up-time is required to be posted in the retail lobby to inform the customers and in the box distribution area for the employees working the mail. Postmasters should strive to have all mail in PO Boxes as early as operationally possible to attract and retain customers to this premium mail service.

If a unit consistently fails to meet the scheduled PO Box up-time, then an analysis should be done to determine if actions may be taken to improve performance. This will include examining the Mail Arrival Profile and potential

transportation changes, updating PS Forms 1994 for clerical staffing, and performing a Function 4 Staffing Review when necessary. As a last resort, consider changing the scheduled PO Box up-time based on the approval of the district manager. Implement any changes to the scheduled PO Box up-time at the beginning of a fiscal quarter. Exceptions to quarterly implementation for extenuating circumstances may be implemented with approval of the district manager. Customer notification should be provided 30 days in advance of any scheduled up-time change.

#### 841.73 **PO Box Mail Distribution**

Place mail addressed to PO Boxes in proper boxes upon availability from distribution operations. Ensure Hot Case is cleared and all committed mailpieces, including First-Class Mail, Periodicals, USPS Marketing Mail, and packages, are distributed to PO Boxes. After all available committed mail is distributed, scan the PO Box barcode to confirm mail distribution is complete, and then cradle the scanner to ensure scan data is uploaded timely.

#### 841.74 **Withdrawal of Mail from PO Boxes**

Mail may be delivered to authorized persons who forget their keys or cannot open their boxes. Mail should not, however, be handed out to persons properly supplied with keys who can open their boxes but who make it a practice of requesting that their mail be given to them. Do not hand out mail if the box fees are not paid by the due date according to [841.22.b](#).

#### 841.75 **Change-of-Address Orders**

##### 841.751 **Who May File**

Customers may file change-of-address orders, as follows:

- a. *Organizations*. Only the PO Box customer or authorized representatives of the organization listed on the PS Form 1093 may file change-of-address orders. The organization is responsible for forwarding mail to other persons receiving mail at the box.
- b. *Residential PO Box customers, Fee Groups 1 through 7*. Only the box customer listed on the PS Form 1093 may file change-of-address orders. The box customer is responsible for forwarding mail to other persons receiving mail at the box.
- c. *Residential PO Box customers, Fee Group E*. The box customer or any other person listed on the PS Form 1093 may file an individual change-of-address order. Only the box customer may file a change-of-address order for the entire family.

##### 841.752 **Standard Procedure for Handling Change-of-Address Orders**

The procedures for handling change-of-address orders are as follows:

- a. Affix the 3982 label to PS Form 3982.
- b. If incorrect information is discovered on the 3982 label, complete PS Form 3546, *Official Change/Correction to Mail Forwarding Change of Address Order*, and select the box for the appropriate action to take. Transcribe the information that appears on a 3982 label onto PS Form 3982 and select check box "3546 submitted". When the corrected 3982 label is received, affix the label over the initially transcribed information on PS Form 3982.



- c. When a PS Form 3575Z, *Employee Generated Change of Address*, is filed, transcribe the information on PS Form 3982 and select check box “3575Z submitted”. When the 3982 label is received, affix the label over the initially transcribed information on PS Form 3982.

841.753 **Flagging PO Boxes**

The procedures for flagging boxes in which a valid change-of-address order is on file are as follows:

- a. Use a white label to identify PO Boxes for which there is no valid change-of-address order on file. Apply a colored label or dot to the white label to identify boxes for which there is a valid change-of-address order on file and for which mail may be received addressed to other than the current box customer.
- b. If a box has changed hands more than three times in the last year, use any reasonable means, in addition to colored labels or dots, to identify this box as one that probably receives mail addressed to other than the current box customer.
- c. If desired, show on the labels the dates on which colored labels should be replaced with white labels, or the dates the colored dots should be removed from the white labels. Except for these dates, labels should show only information on the name of the current box customer.
- d. Review all mail addressed to color-coded boxes, other than that addressed to or in care of the current box customer, for determination if a valid change-of-address order is on file. If a valid forwarding address is not on record, distribute the mail to the box as addressed, unless the box customer of record advises that mail for the addressee must not be placed in the box.
- e. Treat mail rejected by the box customer as undeliverable.
- f. Replace colored labels with white labels or remove colored dots from the white labels immediately following the termination or expiration of a forwarding order or as soon as it is apparent that color-coding no longer is needed.

841.76 **Vacant Boxes**

To help increase the visibility and occupancy prices of PO Boxes, “Availability Tags” can be affixed to vacant PO Boxes to indicate to customers which boxes are available for rent in an office.

841.8 **Refusal to Provide Service, Termination of Service, and Surrender of Service**

841.81 **Refusal to Provide Service**

A postmaster may refuse to issue a Post Office box under any of the following circumstances:

- a. The applicant submits a falsified application for box service.
- b. Within the 2 years immediately preceding submission of the application, the applicant physically abused a box or violated a regulation on the care or use of a box.

- c. There is substantial reason to believe that the box is to be used for purposes that violate [841.133](#).

#### 841.82 **Termination of Service**

A postmaster may close a Post Office box when the box customer has done any of the following:

- a. Falsified the application for the box.
- b. Physically abused the box.
- c. Violated any regulation on the care or use of the box.
- d. Failed to respond to the postmaster's certified letter addressed to the street address provided on PS Form 1093 requiring the customer to select the provided options to rectify the overflow condition.

#### 841.83 **Postmaster's Determination**

##### 841.831 **Basis for Issuance**

When postmasters are satisfied that an application to begin service should be denied under [841.81](#), or that service to a box customer should be ended under [841.82](#), they issue a written *Determination*.

##### 841.832 **Content**

The *Determination* must state the reasons for its issuance and contain the following statement:

"You may file a petition opposing this *Determination* within 20 days (Sundays and holidays included) after the date you receive it. Your petition must be in writing and include a statement of your reasons for opposing the *Determination*. Your petition, signed by you or your attorney, must be filed in triplicate at the Post Office address given above. This filing may be accomplished by Certified Mail, or by delivering the petition to the above address. Obtain and keep a written receipt to show that your petition was timely filed. Your petition is forwarded to the Vice President, Consumer Advocate, Postal Service Headquarters, for action. If you do not file a timely petition, this *Determination* becomes the final decision of the Postal Service."

##### 841.833 **Delivery**

The postmaster's *Determination* must be delivered to the applicant or box customer by Certified Mail or any other method if a signed receipt is obtained from the addressee. If such delivery cannot be made within 15 days after issuance of the *Determination*, it must be delivered as ordinary mail, and the postmaster must make a written record of the date of such delivery and the prior attempts made to deliver it.

#### 841.84 **Petition by Applicant or Box Customer**

##### 841.841 **Procedure**

The procedure for applicant or customer petition is as follows:

- a. The applicant or box customer may file a petition opposing the postmaster's *Determination* within 20 days (Sundays and holidays included) after delivery, under the instructions in the *Determination*.
- b. The filing of a petition prevents the postmaster's *Determination* from taking effect and transfers the case to the Vice President, Consumer Advocate. Thereafter, if a final decision on the merits is rendered by the

Vice President, Consumer Advocate, it constitutes the final decision of the Postal Service.

841.842 **Effective Date**

The procedure for the postmaster is as follows:

- a. After delivery of the *Determination*, the postmaster must take no action to implement it for the 20-day period allowed for filing a petition, and an additional 7 days. If no petition is received by the 27th day, the *Determination* takes effect, becoming the final decision of the Postal Service. The postmaster should keep documentation establishing the date and method of delivery of the *Determination* for at least 1 year.
- b. After receiving a petition, even if late or nonconforming, the postmaster must immediately forward two copies to the Vice President, Consumer Advocate. He or she also forwards a report to:

VICE PRESIDENT  
CONSUMER ADVOCATE  
POSTAL SERVICE  
475 L'ENFANT PLAZA SW  
WASHINGTON DC 20260-2200

The report includes the evidence on which the postmaster's *Determination* was based and the proof of delivery of the *Determination* to the customer.

841.85 **Mail Addressed to Closed Box**

When a Post Office box is closed by a final Postal Service decision, the postmaster must notify the box customer in writing that mail addressed to the box number is thereafter to be forwarded according to a valid change-of-address order if one is submitted, or transferred to general delivery for holding for the forwarding time limit. After the applicable period, all mail so addressed is handled as undeliverable. However, this procedure does not preclude compliance with a sender's request for a specific retention period under DMM F030.

842 **Caller Service**

842.1 **Purpose and Definitions**

842.11 **General**

842.111 **Assignment of Number**

Except under [842.118](#) for origin caller service, a caller number is assigned to the caller for each separation used, and the caller must use the term *Post Office Box* (P.O. Box) and the assigned number in the mailing address immediately above the city, state, and ZIP™ Code. Lack of a ZIP Code on the mail or use of a ZIP Code other than that assigned to the box section that provides the caller service can delay delivery. Mail without a box number is delivered to the street address if shown on the mailpiece. If no street address is shown, the mail may be treated as undeliverable as addressed. Mail bearing both a street address and a box number is delivered under DMM 602.

842.112 **Group 2 Noncity Delivery**

Caller service at Group 2 noncity delivery offices is available only under DMM 508.5.

842.113 **Client Mail**

A customer may obtain caller service to receive the mail of a client. A caller number issued to such a customer is considered as held by the customer and not the client. All restrictions or regulations in DMM 508.2 apply to the provision of caller service under this section.

842.114 **No Physical Box**

No physical Post Office box may be used to provide a number for a caller. When a customer is converted to caller service, the following apply:

- a. If the customer is using a Post Office box number, the Post Office box number remains with the physical Post Office box and a caller service number is assigned before caller service may begin.
- b. All other customers are assigned a caller number before caller service may begin.
- c. Assign caller service numbers as required in [141.43](#).

842.115 **Local Restrictions**

Caller service may be restricted by postmasters with approval of the district manager, Customer Service and Sales, if local conditions justify such restrictions.

842.116 **Permitted Uses**

Customers must use caller service under the following conditions:

- a. When a mail volume check, required by [841.132b](#), shows an overflow for 12 out of 20 days and the customer does not change to a box of sufficient capacity, the following provisions apply:
  - (1) Determine the caller service payment period starting date as specified by [842.216](#) for a new payment period but, for this section, compute the fee relative to the date on which the 12th overflow day occurred. Determine the caller service payment period independently from the issue period for any boxes held by the customer. When PS Form 1091-B, *Register for Caller Service Fees*, is prepared, it must be flagged or identified to show that the caller service is required under [841.132b](#).
  - (2) A customer required to use caller service because of [841.132b](#) may submit a written request no more frequently than once in each semiannual payment period for a follow-up check to determine whether the overflow condition still exists. The Postal Service conducts a follow-up check under [841.132b](#), with the following modifications:
    - (a) Conduct a follow-up check at any time after the first month (subject to the minimum frequency of once in any semiannual payment period).
    - (b) Conduct follow-up checks for the full 20-day test period. Do not use section 3 of PS Form 1532, *Semiannual Check of Overflow Mail*, in a follow-up check.

- (c) Measure the volume of mail against the capacity of the customer's box if the actual box is kept. If the box is given up, measure the test for overflow against the capacity of other vacant boxes in the facility.
  - (d) If the record of a follow-up check on PS Form 1532 shows at least 12 out of 20 days overflow, notify the customer by completing block 3 of section 4 to show that caller service must be continued into the next payment period. If the record shows less than 12 days' overflow, notify the customer by completing block 4 of section 4 to show that caller service may be discontinued after the current payment period and delivery reverted at that time to any available box large enough to hold the customer's mail.
- (3) Any customer released from caller service because of the follow-up check in this section is immediately subject to the checks required by [841.132b](#), on resumption of box delivery.
- b. See DMM 508.5 concerning the required use of caller service.
  - c. Consider governmental organizations (e.g., departments, agencies, commissions, bureaus, divisions, etc.) as separate customers for this section. The various departments or schools within educational institutions are also separate customers for this section.

#### 842.117 **When Provided to Customers**

Caller service may be provided to customers under the following conditions:

- a. To a new customer planning to receive (or expected to receive) too much mail to be accommodated in the largest box available in the facility.
- b. To customers who, at their option, want a Post Office box when none is available, and postmasters determine that such service would not adversely affect normal Postal Service operations.
- c. To any customer who wants caller service instead of Post Office box service, even though boxes of adequate size may be available, when the provision of such service would not adversely affect normal Postal Service operations.

#### 842.118 **Accelerated Reply Mail**

Accelerated reply mail (ARM) (origin caller service) may be obtained if all the following conditions are met:

- a. Origin caller service must be obtained at an originating mail processing facility that can process prebarcoded mail.
- b. The caller's mail must meet all the requirements for prebarcoded First-Class Mail® in DMM 233. The mail must also be certified by the mailpiece design analyst at the origin facility where ARM is requested. The barcode on the mailpiece must represent the ZIP+4® code or the mailer's unique 5-digit ZIP Code printed on the mailpiece.
- c. The caller's mail must bear a facing identification mark (FIM A), as set forth in Publication 25, *Designing Letter and Reply Mail*.

- d. Caller service must also be obtained at the destinating postal facility. The address on all mailpieces to be received through ARM must be the Post Office box address assigned where destination caller service is authorized. Mailpieces that show a dual address must show only the Post Office box on the line immediately above the city, state, and ZIP Code line.
- e. The mailer may either pick up ARM at the origin facility caller service window or have it reshipped, by Priority Mail Express Custom Designed Service, to the destination caller service address or to another address specified by the mailer in the Custom Designed Service Agreement (see DMM 210). To change the destination address on the Custom Designed Service Agreement, the mailer must provide a 30-day advance notice and submit an amended ARM application, completing only the Applicant Information (1 through 8) and Priority Mail Express Reship (12 through 17) sections.
- f. An applicant for ARM must comply with [842.12](#).
- g. An applicant who is a commercial mail receiving agent must also comply with DMM 508.2.

#### 842.12 Obtaining Service

##### 842.121 Application

The procedure for ARM application is as follows:

- a. A PS Form 1093, *Application for Post Office Box or Caller Service*, is used to request caller service. Customers may obtain blank applications at any Post Office. An applicant must complete all spaces on the form that require customer-provided information. Furnishing false information or refusing to furnish required information on the application may be sufficient reason for denial of the application or discontinuation of service.
- b. A completed application for destination caller service may be submitted to any postal facility that provides window service to the public; the facility need not be the same as that at which the destination caller service is desired.
- c. In addition to PS Form 1093, an applicant for ARM (origin caller service) must also complete PS Form 8061, *Application for Accelerated Reply Mail*, and submit both forms to the facility where accelerated reply mail (origin caller service) is desired. PS Form 8061 may be obtained from the applicant's account representative or from the district manager, Customer Service and Sales.
- d. The employee who accepts an application takes the following actions:
  - (1) Performs the verification in [842.122a](#) or [842.122b](#).
  - (2) Dates the application on the reverse side with Item 570, *All Purpose Dating Stamp*.
  - (3) If caller service is desired at a postal facility other than that at which the application is submitted, forwards the application to the postmaster of the facility where the service is desired.

- e. The postmaster of the facility where caller service is to be provided takes the following actions:
  - (1) Approves or denies the application.
  - (2) Notifies the applicant of the decision and the reason for any denial.
  - (3) If the application is approved, assigns a caller number on receipt of the proper fee. Normally, if the address shown on the application is a local address, a caller number is assigned at the facility serving that address; if an out-of-town address is shown, a caller number is assigned at the main office station. Other arrangements may be made at the discretion of the postmaster.

#### 842.122 **Verification of Application for Destination Caller Service**

An application for caller service may not be approved until the application is verified. The criteria for verification are as follows:

- a. *Known Applicant.* Consider the application of a known applicant verified on submission of PS Form 1093.
- b. *Unknown Applicant*
  - (1) An unknown applicant must present an acceptable primary and secondary form of identification (see [131.3](#)).
  - (2) Consider an application verified if there is no discrepancy between information on the application and on the identification presented. If the information on the application does not match that on the identification, verification procedures must be followed to substantiate that the applicant resides or conducts business at the address shown. Complete this verification within 3 workdays.
- c. *Assignment.* A caller service number is assigned immediately after approval of the application and receipt of the caller service fee.

#### 842.123 **Verification of Application for ARM (Origin Caller Service)**

ARM (origin caller service) must not be provided until the following steps are completed:

- a. *Applicant.* The applicant presents valid identification.
- b. *Documentation.* If the applicant is applying in behalf of an organization or as an agent for another person or organization, satisfactory documentation to confirm that representation is approved.
- c. *Confirmation.* The applicant's destination caller service number and authorization are confirmed.
- d. *Appropriate Facility.* The availability of ARM (origin caller service) at the facility where the service is requested is confirmed.
- e. *Scheduling.* On verification of the above information, the applicant must be informed of the beginning date for the ARM (origin caller service). Depending on the schedule for updating the facility's bar code sortation schemes, the beginning date must be no later than 30 days after the date of approval of the application on PS Form 8061.
- f. *Assignment.* An ARM (origin caller service) number is assigned after approval of the application and receipt of the caller service fee.

842.2 **Fees**842.21 **Payment**842.211 **Payment Period**

The Postal Service has established semiannual payment periods for caller fees. Payment may be made for any period of 6 or 12 consecutive months. The beginning of a payment period is established on the date of the approval of the application for caller service.

842.212 **Fees Paid in Advance**

Caller fees must be paid in advance for no less than one and no more than two semiannual periods. Fees may be paid by check to postmasters. Payments for destination caller service sent by mail must be received by the postmaster by the due date. Payments for ARM (origin caller service) must be received at least 45 days before the applicable semiannual period.

842.213 **Receipt**

A PS Form 1538, *Receipts for Post Office Box/Caller Service Fees*, is given for each caller payment, except that callers who hold more than one caller number may be issued one receipt for payment for all their caller numbers. Keep a separate list of multiple-number customers showing numbers used, customer name, fee charged, and normal due date for each. Mark each receipt with the number (count) of caller numbers paid for at one time.

842.214 **Change of Payment Period Date**

Callers of record may change their payment period by submitting a new application, noting the month they want to use as the start of their revised payment period. The date selected must be before the end of the current payment period. The unused fee for the period being discontinued may be refunded under [842.24](#), and the fee for the new payment period must be fully paid in advance. A change of payment dates may not be used to circumvent a change in caller-service fees.

842.215 **Renewal of Service**

Fees for renewal of service are as follows:

- a. *Destination Caller Service*. Fees for renewal of destination caller service are due by the last day of the last month of the current period. During the last 30 days of their service period, callers may pay their fees for their next semiannual or annual payment period, as appropriate. Postmasters may accept fee payments more than 30 days in advance.
- b. *Accelerated Reply Mail (Origin Caller Service)*. Payment of the fee for renewal of ARM (origin caller service) is due at least 45 days before the last day of the last month of the current period. Payment may be made for the next semiannual or annual period, as appropriate.

842.216 **Adjustment for Midmonth Payment**

The payment period for a new caller service started on or before the 15th of any month is from the first day of that month. If service is started after the 15th day of the month, compute the period from the first day of the following month.



**842.217 Record of Callers**

The guidelines for keeping records of callers are as follows:

- a. A record of destination service callers must be kept by the authorizing Post Office using PS Form 1091-B, *Register for Caller Service Fees*. PS Form 1091-B are filed for each number or group of numbers assigned to the same caller that falls due in the same month. Forms are filed by the month the payment is due and in numeric sequence.
- b. Separate records of accelerated reply mail (origin caller service) also must be kept on PS Form 1091-B.
- c. Prepare and keep a master list of all assigned caller-service numbers, including multiple Post Office box/caller service users and reserved caller numbers, at each facility. The master list must be compared against all PS Form 1091-B on file by July 1 of each year. When a PS Form 1091-B is not on file for an assigned number, a new form must be prepared and the proper fees collected. When PS Form 1091-B is not on file for a reserved number, a new form must be prepared and placed in file. An equivalent, existing caller-service number inventory system showing all assigned numbers may be used instead of a master list.

**842.22 Notice of Payment Due**

Notice 32-B, *PO Box Fee Due (FIM B Marking)*, or Notice 32-C, *PO Box Fee Due (FIM C Marking)*, is distributed to destination caller service customers 20 calendar days before the fee is due. If callers are temporarily out of town and they have filed a temporary forwarding order, the notice must be sent to them.

**842.23 Past-Due Caller Fee Procedures****842.231 Holding Mail**

If a destination caller service customer does not pay the fee by the due date, submit a change-of-address order, or attempt to obtain the mail, the mail is held for no more than 10 days; it is then treated as undeliverable mail unless it can be readily delivered by carrier.

**842.232 Delivery to Street Address**

If a destination caller service customer fails to pay the fee by the due date, does not submit a change-of-address order, and attempts to obtain the mail within 10 days, the caller or agent must be informed that after the 10th day following the due date if payment or a change-of-address order is not received, the mail is delivered to the street address. The caller or agent must also be informed that the caller loses the use of the Post Office caller number and may not obtain this mail at the postal facility. The caller should be given the mail until the end of the 10-day period; but, during that period, the caller may not be provided more than one separation (if multiple separations are provided previously).

**842.233 Accelerated Reply Mail**

If an accelerated reply mail (origin caller service) customer fails to pay the fee at least 45 days in advance, a notice of nonpayment is sent to the caller by Certified Mail, Return Receipt requested. If payment is not received by the 30th day before the end of the current payment period, the caller is notified in writing that the barcode sortation scheme is revised to eliminate the

separation for the caller. Once that change is made, the caller must reapply to obtain further accelerated reply mail (origin caller service).

842.24 **Refund of Caller Service Fee**

842.241 **Discontinued Number**

When a destination caller service number is discontinued, the unused part of the fee for that number may be refunded as follows:

- a. Refunds are processed according to DMM 508.5.
- b. Refund the entire fee for a semiannual payment period after the period in which service is discontinued.
- c. Determine refunds for the payment period in which service is discontinued as follows:
  - (1) For service discontinued any time within the first 3 months (i.e., on or before the last day of the third month) of the semiannual payment period, the amount refunded is half the semiannual caller service fee in Notice 123, *Price List*.
  - (2) No refund is made when service is discontinued any time after the third month (i.e., on or after the first day of the fourth month) of the semiannual payment period.

842.242 **Caller Numbers in Discontinued or Relocated Postal Facilities**

Former destination caller service customers of discontinued or relocated postal facilities may obtain a refund of unused caller-service fees when additional travel of a 1/4 mile (0.4 kilometer) or more (from the address listed on the applicable PS Form 1093) is required to obtain equivalent service. For refunds processed under this section, refund one-sixth of a semiannual fee for each month remaining in the payment period. If the effective date of the facility discontinuance falls on or before the 15th of the month, compute the refund from the first day of that month. If the effective date is after the 15th day of the month, compute the refund from the first day of the following month.

842.243 **Accelerated Reply Mail**

No refund is made for the remaining part of the current fee period if a caller discontinues accelerated reply mail (origin caller service). A refund of fees paid for a future period is made.

842.3 **Mail Pickup Hours**

Provide caller service during normal hours of business. Caller service may be provided at all other hours during which mail is distributed within the facility if it is consistent with normal operations.

842.4 **Refusal to Provide Service, Termination of Service, and Surrender of Service**

842.41 **Refusal to Provide Service**

A postmaster may deny an application of caller service under any of the following circumstances:

- a. The applicant submits a falsified application for the service.
- b. Within the 2 years immediately preceding submission of the application, the applicant violated a regulation on use of the service.

- c. There is substantial reason to believe that the service is to be used for purposes that violate DMM 508.5.

842.42 **Termination of Service**

A postmaster may end caller service if the caller:

- a. Falsifies the application for the service.
- b. Violates any regulation on the service.

842.43 **Postmaster's Determination**

842.431 **Basis for Issuance**

When a postmaster is satisfied that an application for commencement of caller service should be denied under [842.41](#), or that service to a caller should be ended under [842.42](#), the postmaster issues a written *Determination*.

842.432 **Content**

The *Determination* must state the reasons for its issuance and contain the following statement:

“You may file a petition opposing this *Determination* within 20 days (Sundays and holidays included) after the date you receive it. Your petition must be in writing and include a statement of your reasons for opposing the *Determination*. Your petition, signed by you or your attorney, must be filed in triplicate at the Post Office address given above. This filing may be accomplished by Certified Mail, or by delivering the petition to the above address. Obtain and keep a written receipt to show that your petition was timely filed. Your petition is forwarded to the Vice President, Consumer Advocate, Postal Service Headquarters, for action. If you do not file a timely petition, this *Determination* becomes the final decision of the Postal Service.”

842.433 **Delivery**

The postmaster's *Determination* must be delivered to the applicant or caller by Certified Mail or by any other method if a signed receipt is obtained from the addressee. If such delivery cannot be made within 15 days after issuance of the *Determination*, it must be delivered as ordinary mail and the postmaster must make a written record of the date of such delivery and the prior attempts made to deliver it.

842.44 **Petition by Applicant or Caller**

842.441 **Procedure**

The procedure for applicant or caller petition is as follows:

- a. The applicant for caller service may file a petition opposing the postmaster's *Determination* within 20 days (Sundays and holidays included) after delivery, under the instructions in the *Determination*.
- b. The filing of the petition prevents the postmaster's *Determination* from taking effect and transfers the case to the Postal Service Vice President, Consumer Advocate. Thereafter, if a final determination on the merits is rendered by the Consumer Advocate, it constitutes the final decision of the Postal Service.

**842.442 Effective Date**

The procedure for the postmaster is as follows:

- a. After delivery of the *Determination*, the postmaster takes no action to implement it for the 20-day period allowed for filing a petition, and an additional 7 days. If a petition is not received by the 27th day, the *Determination* takes effect, becoming the final decision of the Postal Service. The postmaster should keep documentation establishing the date and method of delivery of the *Determination* for at least 1 year.
- b. After receiving a petition, even if late or nonconforming, the postmaster immediately forwards two copies to the Postal Service Recorder, Judicial Officer Department. The report includes the evidence on which the postmaster's *Determination* was based and the proof of delivery of the *Determination* to the customer.

**842.45 Surrender of Service**

Caller service is surrendered when the caller does at least one of the following:

- a. Submits a permanent change-of-address order.
- b. Fails or refuses to pay the pertinent fee due.
- c. Submits a written notice to discontinue the service.

**842.46 Disposition of Mail****842.461 Destination Caller Service**

When destination caller service is ended by a final Postal Service decision, the postmaster must give written notice to the caller that mail addressed to him or her at the caller number is thereafter to be forwarded according to a valid change-of-address order if one is submitted, or transferred to general delivery for holding the current time limit for forwarding. After the applicable period, all mail so addressed is handled as undeliverable. However, this procedure does not preclude compliance with the sender's request for a specific holding period under DMM 507.

**842.462 Accelerated Reply Mail (Origin Caller Service)**

When accelerated reply mail (origin caller service) is surrendered by the customer or ended by the Postal Service, mail continues to be separated for the accelerated reply mail (origin caller service) until the barcode sortation schemes can be revised to permit the mail to be processed to the destination address on the mail.

**843 General Delivery for Transients and Customers Not Permanently Located****843.1 Delivery**

In an effort to assist customers with no fixed address and no identification who qualify for General Delivery service under the *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) 508.6.1a, a customer who is personally known to the Postmaster or retail associate and is known as a person with no fixed address may be provided general delivery.

**843.2 Retention**

Based on DMM 508.6.4, Holding Mail, there is a 30-day limit for holding individual mailpieces for General Delivery. This time limit does not reference how long an individual customer may receive General Delivery service. Hold general delivery mail for no more than 30 days, unless otherwise requested. Return accountable mail as instructed under [683.25](#).

**844 Other Deliveries**

In all other cases, provide the services in [841](#), [842](#), or [843](#) to customers who want to call for their mail at a postal unit.

**845 Firm Holdout**

See DMM 508.8.

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U.S. Postal Service

# **National Delivery Planning Standards**

**A Guide for Builders and  
Developers**

Handbook PO-632

July 2020





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# 1 Introduction

The United States Postal Service® is proud to provide every new home and business with excellent, efficient mail delivery service. This guide will assist you in preparing your new development for mail service by planning locations and space for mail equipment early in the development process.

The U.S. Postal Service™ is responsible for establishing the method or “mode” of delivery for all new developments—both residential and commercial. The mode of delivery includes the following:

- Type of mailbox you will use.
- Location of the mailbox for each delivery address.

Centralized delivery is our preferred method of mail delivery. Centralized delivery equipment improves delivery efficiency and provides space for large mail items, including packages, which is a great benefit for customers. Freestanding, pedestal-style outdoor centralized mailboxes are called cluster box units or CBUs. CBUs are “package friendly” because they are designed to accommodate the majority of packages delivered through the U.S. Mail®. CBUs also include parcel lockers, which provide separate, locked storage for many packages.

Other types of centralized mailbox equipment are also available. Builders and developers are responsible for the purchase and installation of mailbox equipment. Property owners are responsible for ongoing maintenance, repairs, and replacement of mailbox equipment.

This guide provides information about the types of USPS®-approved mailbox equipment options available commercially and information about other aspects of mail delivery planning that may apply to your specific development.

With more than 150 million households and businesses served daily—and another 1 million new delivery points added on average every year—it is imperative that the U.S. Postal Service make its mail delivery network more efficient while still delivering the service our customers expect. We appreciate your assistance in furthering that objective, while at the same time helping provide new customers with convenient mail delivery for their new homes and businesses.

We also want to connect you with local USPS delivery planning individuals in your area—referred to as Growth Managers. Postal Service Growth Managers are available to assist you. Prior to submitting your master plan and plat to the local municipality and/or county for approval, you must arrange for a local USPS Growth Manager to review your development plans prior to commencing construction.

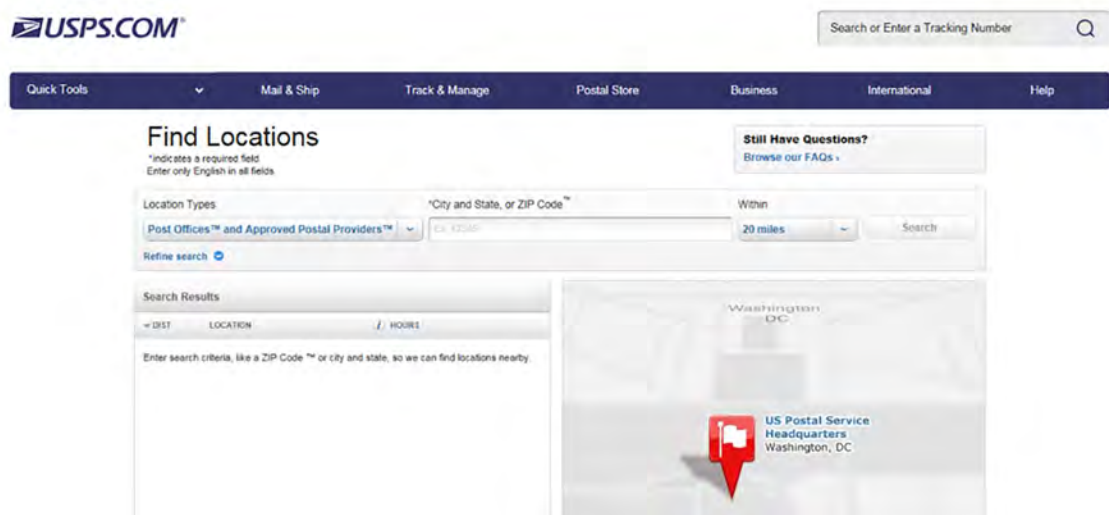
Thank you for reviewing the Postal Service’s mail delivery-planning standards—we look forward to working with you!

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## 2 Finding Your Growth Manager and USPS Online Resources

### 2-1 Find a Post Office

The Postal Service lists all local Post Offices™ on its website at: [www.usps.com](http://www.usps.com). To find the Post Office closest to your new development, search using the appropriate ZIP Code™.



### 2-2 Find Your Local USPS Growth Manager

Every area where the U.S. Postal Service provides mail delivery has a Postal Service employee assigned to help developers and builders with planning mail service for new developments. These “new delivery planning” employees are referred to as Growth Managers.

To find the Growth Manager that covers your specific development's geographic location, send an email to: [Delivery.Growth@USPS.GOV](mailto:Delivery.Growth@USPS.GOV), or contact your Post Office and ask to speak to either the Postmaster or the person assigned to assist developers with planning new mail service.

If you do not receive a reply from your District Growth Manager or Post Office, please email your concern to the above email address and the escalation process within the Postal Service will occur as follows:

- a. First Level of Inquiry – The District Growth Manager (to respond within 2 weeks).
- b. Second Level of Inquiry – The Area Growth Manager (to respond within 2 weeks).
- c. Third Level of Inquiry – The Headquarters Growth Manager (to respond within 30 days).

### 2-2.1 **Appeal Process for Builders and Developers**

Once the authorized mode of delivery decision has been communicated by the Growth Manager, a builder/developer may appeal an adverse decision as follows:

- a. First level of appeal is to District Manager who has 30 days to respond to builder/developer.
- b. Second level of appeal is to Area Manager, Delivery Programs Support (MDPS) who has 30 days to respond to builder/developer.
- c. Third level of appeal is to Area Vice President who has 30 days to respond to builder/developer.

## 2-3 USPS-Approved Mailbox Equipment

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Mailboxes used in new construction projects can be one of the following two types of centralized mailbox equipment:

- a. Pedestal-mounted USPS-approved CBU.
- b. Wall-mounted USPS-approved STD-4C mailboxes (4C).



The Postal Service annually publishes a list of USPS-approved mailbox equipment and approved manufacturers in its Postal Bulletin. You can also find the latest list of USPS-approved equipment and approved manufacturers at:

<http://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/welcome.htm>

## 2-4 Delivery Planning Resources for Builders and Developers

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The most current version of this guide will always be available on the webpage at: <http://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/welcome.htm>.

The following links provide additional resources for builders and developers:

- a. Find a Post Office: <https://tools.usps.com/go/POLocatorAction!input.action>.
- b. Centralized Delivery/Residential Applications: <http://about.usps.com/publications/pub265a.pdf>.
- c. Centralized Delivery/Garden Apt Applications: <http://about.usps.com/publications/pub265c.pdf>.
- d. Centralized Delivery/Commercial Applications: <http://about.usps.com/publications/pub265b.pdf>.

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# 3 General Planning Guidelines for Mailboxes in New Developments

## 3-1 Letter Carrier Access to Deliver U.S. Mail

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Centralized delivery is the Postal Service's preference for new addresses, whether residential or commercial. The customer is responsible for keeping the approach to his or her mailbox and adjacent area clear to facilitate delivery. You may provide curbside delivery only with prior approval from the Postal Service. Place curbside mail receptacles approved by the Postal Service where they protect the mail, can be safely and conveniently serviced by carriers without leaving their vehicles, and can be reasonably and safely accessed by customers. These receptacles must be on the right-hand side of the road in the direction of travel when required by traffic conditions, or when driving on the left-hand side of the road to reach the mail receptacle would violate traffic laws.

## 3-2 Mailbox Locks and Keys

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The Postal Service prohibits carriers from accepting keys for locks on private mail receptacles, buildings, or offices, except where an electromechanical door lock system or key keeper box is used.

CBUs have secure, locking mailbox, and parcel locker compartments. Whether your new development is commercial or residential, the builder or property owner is responsible for providing lock and key service for cluster box units. The locks/keys for each of the compartments will be provided with the CBU. The Postal Service will furnish the "master access lock" that allows mail to be delivered. See 3-3 for more information.

Your local USPS Growth Manager will discuss specific requirements and processes appropriate for your new development as part of the overall coordination process related to establishing the mode of delivery for your new development.

## 3-3 USPS Master Access Lock

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The Postal Service furnishes its own “master access lock” so that carriers have access to deliver the mail. This lock is not available to developers and builders to pre-install.

Your local USPS Growth Manager will coordinate installation of the “master lock” as part of the overall coordination process when starting new mail delivery for customers.

## 3-4 Safety Considerations

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If curbside delivery is approved by the Postal Service, posts and other supports for curbside mailboxes are owned and controlled by the customer. The owner of the property is responsible for ensuring that posts are neat and adequate in strength and size.

When installing centralized delivery equipment, such as CBUs or STD-4C (4C) equipment, the mailboxes must be safely located so that customers are not required to travel an unreasonable distance to obtain their mail. Typically, mailbox receptacles are located within 1 block of the residence.

When new developments, either residential or commercial, are in the design phase, developers or architects must meet with the USPS Growth Manager to ensure that safe and durable receptacles are properly specified and located in conformance with regulations. The Growth Manager will also meet with the builder at the appropriate time during the construction phase to review the physical mailroom installation and discuss coordination and timing of initiating mail delivery.

## 3-5 Customer and Carrier Accessibility Considerations

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Curb delivery may only be provided with prior approval from the Postal Service if the carrier can efficiently, safely, and conveniently service the mailbox from the carrier’s vehicle and if the customer can safely and easily access the mailbox.

Apartment house delivery requires that mailboxes be located reasonably close to the entrance in vestibules, halls, or lobbies. The carrier must also be able to service the boxes without interference from swinging or open doors. Consult with your local USPS Growth Manager early in the design process to ensure you select an appropriate location for the apartment building mailroom.

### 3-5.1 **Placement of Outdoor Cluster Boxes**

The local USPS Growth Manager or designee must approve the CBU mailbox sites and type of equipment. Cluster boxes must be safely located so that customers are not required to travel an unreasonable distance to obtain their mail and so there is sufficient access to mailbox locations with



adequate space for carriers to deliver and customers to retrieve the mail. Typically, a mailbox receptacle will be located within 1 block of the residence.

### 3-5.2 **Construction Accessibility Guidelines**

Accessibility requirements and regulations, including those required to accommodate customers with disabilities, may vary by type of facility and governing jurisdiction. Always consult local building officials and codes for applicable accessibility requirements that apply to your specific development and mailbox project.

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## 4 Single-point Residential Deliveries

New mail delivery planning for single-family residential developments typically falls into the following two primary categories:

- a. Site-constructed single family homes.
- b. Mobile or trailer homes.

### 4-1 Residential Single Family Site Constructed Development

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During the design and planning phase (i.e., before plans and site plats are finalized with the appropriate planning/zoning authorities), developers and builders must notify the U.S. Postal Service of the planned development so that the Postal Service can determine the appropriate mode of delivery while considering input from the parties involved with the development.

Developers and builders must plan to install centralized mail delivery receptacles in new residential communities, which include secure parcel lockers.

New homes built or established within a block of existing homes can only receive the same type of mail delivery service as the older, existing homes after the Postal Service has completed an operational efficiency analysis. When new delivery replaces more than 1 block, delivery methods must comply with mode of delivery options for establishment and extension of delivery service, which is typically centralized mail service.

Your local USPS Growth Manager will work closely with you to determine the best approach to providing mail delivery service to customers in your new residential development. It is important that you contact the Growth Manager in your area as early as possible in your planning process.

### 4-2 Residential Mobile or Trailer Home Development

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The delivery options for mobile or trailer home developments depend on whether the development is *permanent* or *transient* as determined by the Postal Service.

**Permanent Developments**—Permanent developments consist of managed mobile home parks or residential mobile home subdivisions with the following characteristics:

- a. The lots are permanently assigned.
- b. The streets are maintained for public use.
- c. The conditions resemble those of a residential subdivision.

For permanent developments, the delivery options are either central, curbside, or sidewalk delivery. Postal Service will determine and specify the type of mail delivery for any permanent mobile/trailer home development. The general practice of the Postal Service is to specify centralized delivery.

**Transient Developments**—Transient developments are mobile home, trailer, and recreational vehicle parks where the lots are temporarily occupied or rented and considered transient, short-term, or seasonal. For transient developments, the only option is delivery to a single point or receptacle designated by park management and approved by local Postal Service management. The single delivery point defined will be for the receipt of all mail from USPS; employees of the park will complete the subsequent distribution of mail and forwarding.

Whether your new mobile home development is permanent or transient, contact your local Growth Manager early in the process so that we can work with you in laying out the space plan for mail delivery for the residents of your new community.

# 5 Multi-point Residential Deliveries

## 5-1 Apartment Communities

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The following are important U.S. Postal Service guidelines for determining the location and composition of mail receptacles for apartment communities:

- a. All new or remodeled apartment houses must install USPS-approved 4C centralized mailbox equipment. There must be at least 1 parcel locker for every 5 mailbox compartments. The Postal Service requires no maximum number of parcel lockers to be installed—only the 1:5 parcel locker/mailbox minimum.
- b. Locate mail receptacles and parcel lockers in apartment buildings reasonably close to the entrance in vestibules, hall, or lobbies. The carrier must also be able to serve the boxes without interference from swinging or open doors.
- c. Exterior centralized mailboxes may also be an option. The Postal Service may authorize the installation of standard, approved apartment receptacles (4C or CBU) in exterior walls of buildings provided they are not installed directly on the street or a public sidewalk. Provide a canopy for outdoor mailbox installations. The canopy design and location must provide maximum protection from the weather, including driving rain, and provide adequate nighttime lighting.

## 5-2 Student Housing and Off-Campus Student Apartment Communities

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Mail delivery protocols to student housing vary depending on the characteristics of the student housing community being served. Below are general guidelines for establishing new mail service.

Mail is delivered to dormitory buildings and residence halls when addressed to a specific building. Mail is delivered in bulk to a designated representative of the school or property in the building. The representative is responsible for further distribution to students/residents. The Postal Service will determine the proper mode of delivery to be established and may require that designees from the student housing property be identified to accept mail for each location prior to initiating delivery.

The Postal Service defines a dormitory building or residence hall as a building that consists of single or multi-room units that may share or have

access to centrally located kitchens, bathrooms, showers, or social or common areas. Whether located on or off campus, and regardless of private ownership, such buildings are nevertheless dormitories and either the school or building owner is responsible for the final delivery of student mail. Post Office personnel do not distribute mail into apartment-type mailboxes for dormitories or residence halls.

As always, it is important to contact your local USPS Growth Manager early in the planning process to ensure understanding and requirements related to providing mail delivery for your new student housing development.

## 6 Delivery to Business and Industrial Parks

The following paragraphs provide important U.S. Postal Service guidelines for determining the location, type of mailbox receptacles, and other requirements related to initiating new mail delivery for business and industrial parks.

The type and design of buildings included in the business and industrial park will govern the mode of delivery that is implemented. As with all new mail delivery planning, the location of the USPS-approved delivery equipment is subject to Postal Service approval. Delivery mode options for business parks are door, centralized, curbside, or sidewalk delivery. Door delivery will generally not be available for new delivery points. The primary options are as follows:

- a. **Centralized Delivery**. Centralized delivery service applies to all business office buildings, office complexes, and industrial and professional parks. If the U.S. Postal Service is delivering directly to the mailboxes, the type of equipment allowed for newly constructed buildings must either be USPS-approved CPUs or STD-4C (4C) wall-mounted receptacles.
- b. **Single-Point Delivery**. Single-point delivery is generally not available to new business park developments unless it is in the form of a bulk mail drop.

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# 7 Establishment of City Delivery

To establish city delivery service, consider a combination of mail delivery methods to provide regular and effective service to all residential and business sections of a community. Consider the establishment of city delivery service when the following requirements are met:

- a. Within the area to be served, there is a population of 2,500 or more or 750 possible deliveries.
- b. At least 10 percent of the building lots in the area to be served are improved with houses or places of business. Where a house or building and its yard or ground cover more than one lot, all lots so covered are considered improved. The streets are paved or otherwise improved to permit the travel of Postal Service vehicles at all times, without damage or delay.
- c. Streets are named and house numbers are assigned by the municipal authorities in accordance with Management Instruction DM-940-89-3, *Addressing Conventions*.
- d. Street signs are in place and house numbers are displayed.
- e. Rights-of-way, turnouts, and areas next to the roads and streets are sufficiently improved so that the installation, servicing, and accessing of mailboxes are not hazardous to the public or Postal Service employees.
- f. Satisfactory walkways exist for the carrier where required.

**Note:** During a new residential or commercial development's design and planning phase (i.e., before the developers and builders finalize plans and site plats with the appropriate planning/zoning authorities), developers and builders must notify the Postal Service so that the Postal Service can determine the appropriate mode of delivery while considering input from these parties.

Developers and builders should plan for centralized mail delivery installations for residential communities or business developments.

It is important to contact your local USPS Growth Manager while you are still in the design process so that we can collaborate with you to prepare the most efficient, effective plan to provide mail delivery for the customers who will live or work in your new development.

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# 8 Inspection and Commencement of Mail Delivery Services

## 8-1 Mail Receptacles and Customer Obligations

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Appropriate mail receptacles must be provided for the receipt of mail. The type of mail receptacle depends on the mode of delivery in place. Purchase, installation, maintenance, repair, and replacement of mail receptacles are the responsibility of the customer. Verify with the local Postmaster or Growth Manager, the appropriate locations for installation. The following apply:

- a. In locations where the Postal Service has determined that centralized delivery is appropriate, customers must install mail receptacles that comply with the USPS STD- 4C wall-mounted mail receptacles or USPSB1118, Postal Service specification, CBUs, to include secured parcel lockers.
- b. If curblane delivery is authorized, customers must erect curb-mounted receptacles that comply with USPS-STD-7C.
- c. If sidewalk delivery is authorized, customers must erect sidewalk-mounted receptacles that comply with USPS-STD-7C.

The Postal Service annually publishes a list of USPS-approved mailbox equipment and approved manufacturers in its Postal Bulletin. You can find the latest list of USPS-approved equipment and approved manufacturers at:

<http://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/welcome.htm>

## 8-2 Centralized Mail Receptacle Installation

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You must consider many variables when installing centralized mailbox equipment. In addition to providing accessible locations, you must conduct proper foundation preparation and follow specific mounting procedures, to name a few requirements.

Appendices A through D of this guide provide sample diagrams of various CBU installations to help you understand space requirements, placement, etc.

**Note:** It is critical that you refer to the installation manuals furnished by each of the manufacturers for the specific USPS-approved centralized mailbox equipment purchased commercially.

For assistance with siting your outdoor centralized mail equipment, contact your local USPS Growth Manager so that the Postal Service can advise about the proper locations as you finalize plans for your new development.

## 9 Closing

Thank you for taking time to review this guide for planning mail delivery for new development.

We periodically update this guide—so be sure to check online for the latest version on the ABOUT.USPS.COM website at:

<http://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/welcome.htm>.

**Reminder:** You can find the Growth Manager who covers your specific development geography by sending an email to:

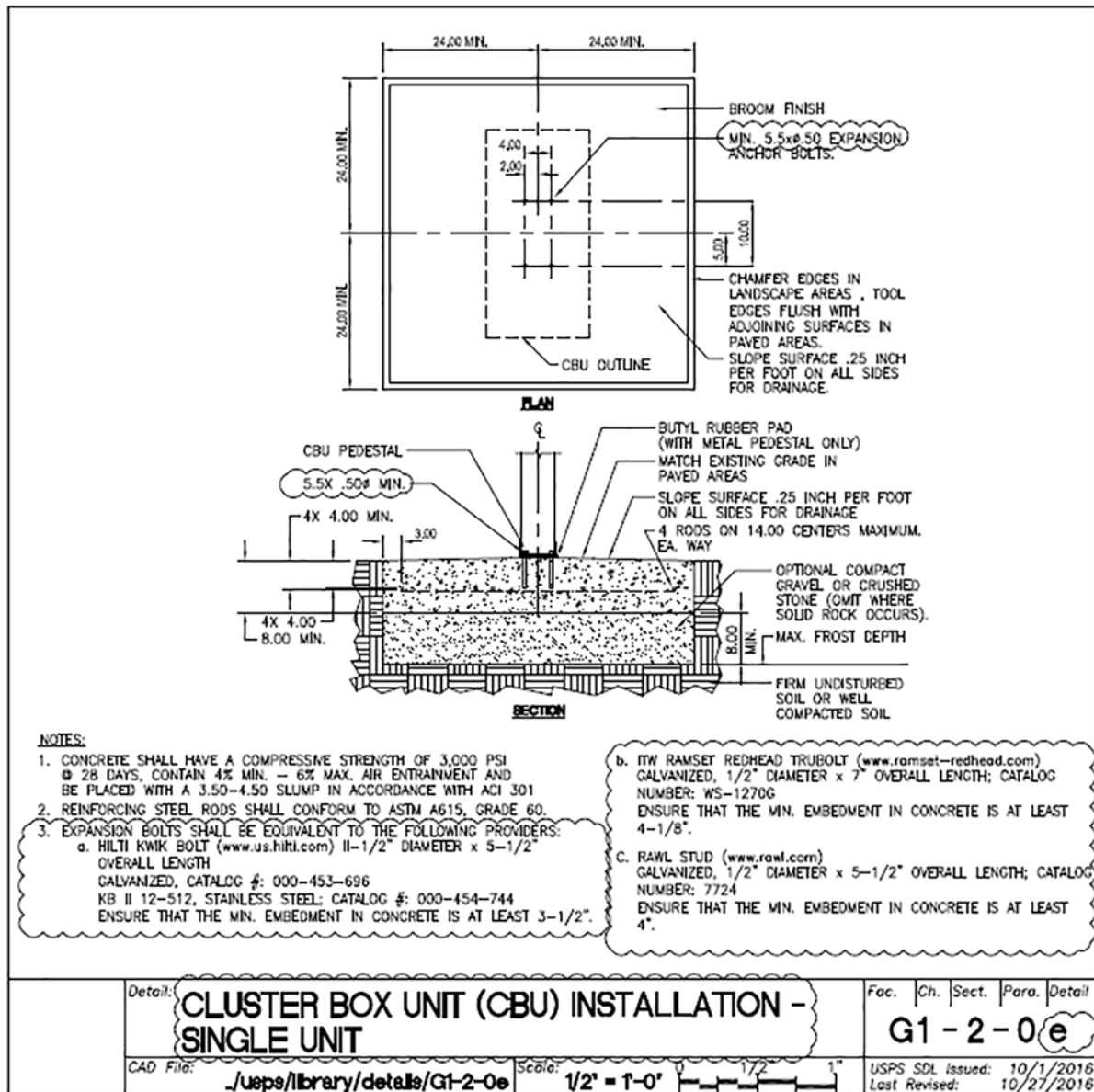
*Delivery.Growth@USPS.GOV*.

Or, you can contact your Post Office and ask to speak to the Postmaster or person assigned to assist developers with planning new mail service.

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## Appendix A

# Cluster Box Unit Installation Single Unit



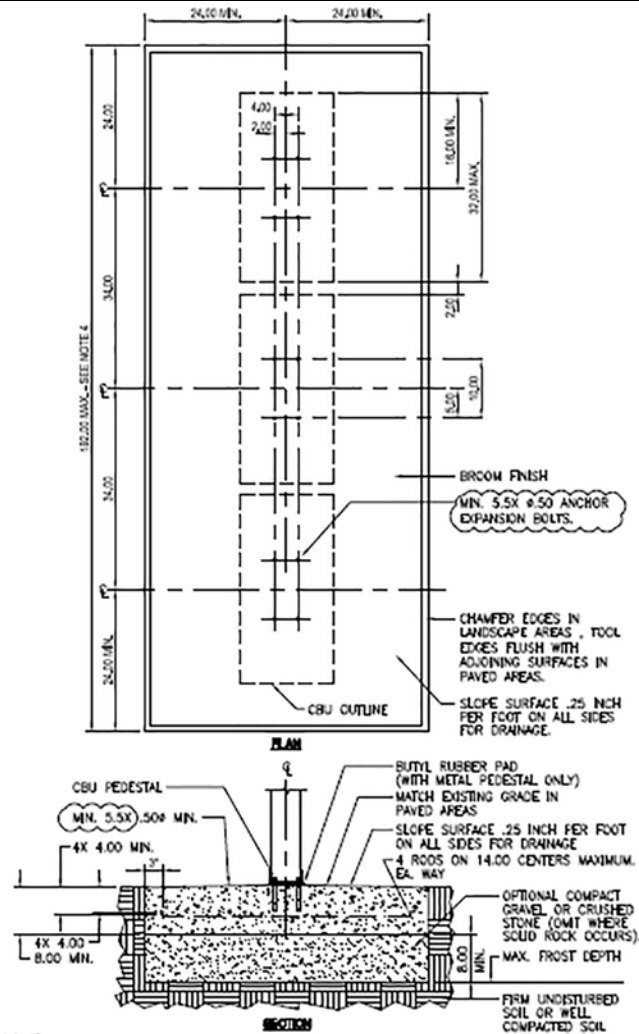
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## Appendix B

## Cluster Box Unit Installation Multiple Unit

## NOTES TO A/E:



## NOTES:

1. CONCRETE SHALL HAVE A COMPRESSIVE STRENGTH OF 3,000 PSI @ 28 DAYS, CONTAIN 4% MIN. - 6% MAX. AIR ENTRAINMENT AND BE PLACED WITH A 3.50 - 4.50 SLUMP IN ACCORDANCE WITH ACI 301
2. REINFORCING STEEL RODS SHALL CONFORM TO ASTM A513, GRADE 60.
3. EXPANSION BOLTS SHALL BE EQUIVALENT TO THE FOLLOWING PROVIDERS:
  - a. HULTI KWIK BOLT ([www.us.hilti.com](http://www.us.hilti.com)) 11-1/2" DIAMETER x 5-1/2" OVERALL LENGTH  
GALVANIZED, CATALOG #: 000-453-896  
KB 112-512, STAINLESS STEEL: CATALOG #: 000-454-744  
ENSURE THAT THE MIN. EMBEDMENT IN CONCRETE IS AT LEAST 3-1/2".
  - b. ITW RAMSET REDHEAD TRUBOLT ([www.ramset-redhead.com](http://www.ramset-redhead.com))  
GALVANIZED, 1/2" DIAMETER x 7" OVERALL LENGTH; CATALOG NUMBER: WS-12700  
ENSURE THAT THE MIN. EMBEDMENT IN CONCRETE IS AT LEAST 4-1/8".
  - c. RAWL STUD ([www.rawl.com](http://www.rawl.com))  
GALVANIZED, 1/2" DIAMETER x 5-1/2" OVERALL LENGTH; CATALOG NUMBER: 7724  
ENSURE THAT THE MIN. EMBEDMENT IN CONCRETE IS AT LEAST 4".
4. A 3 CBU CONFIGURATION IS DEPICTED. A 2 OR 4 CBU CONFIGURATION MAY BE USED AS LONG AS THEY ARE ARRANGED IN GROUPS SUCH THAT THE OVERALL DIMENSION OF THE CONCRETE BASE DOES NOT EXCEED 16 FEET.

Detail:	<b>CLUSTER BOX UNIT (CBU) INSTALLATION - MULTIPLE UNIT</b>	Fac.	Ch.	Sect.	Para.	Detail
						<b>G1-2-0 e1</b>
CAD File:	<a href="#">./usps/library/details/G1-2-0e1</a>	Scale:	1/2" = 1'-0"			USPS SDI Issued: 10/1/2016 Last Revised: 10/27/2016

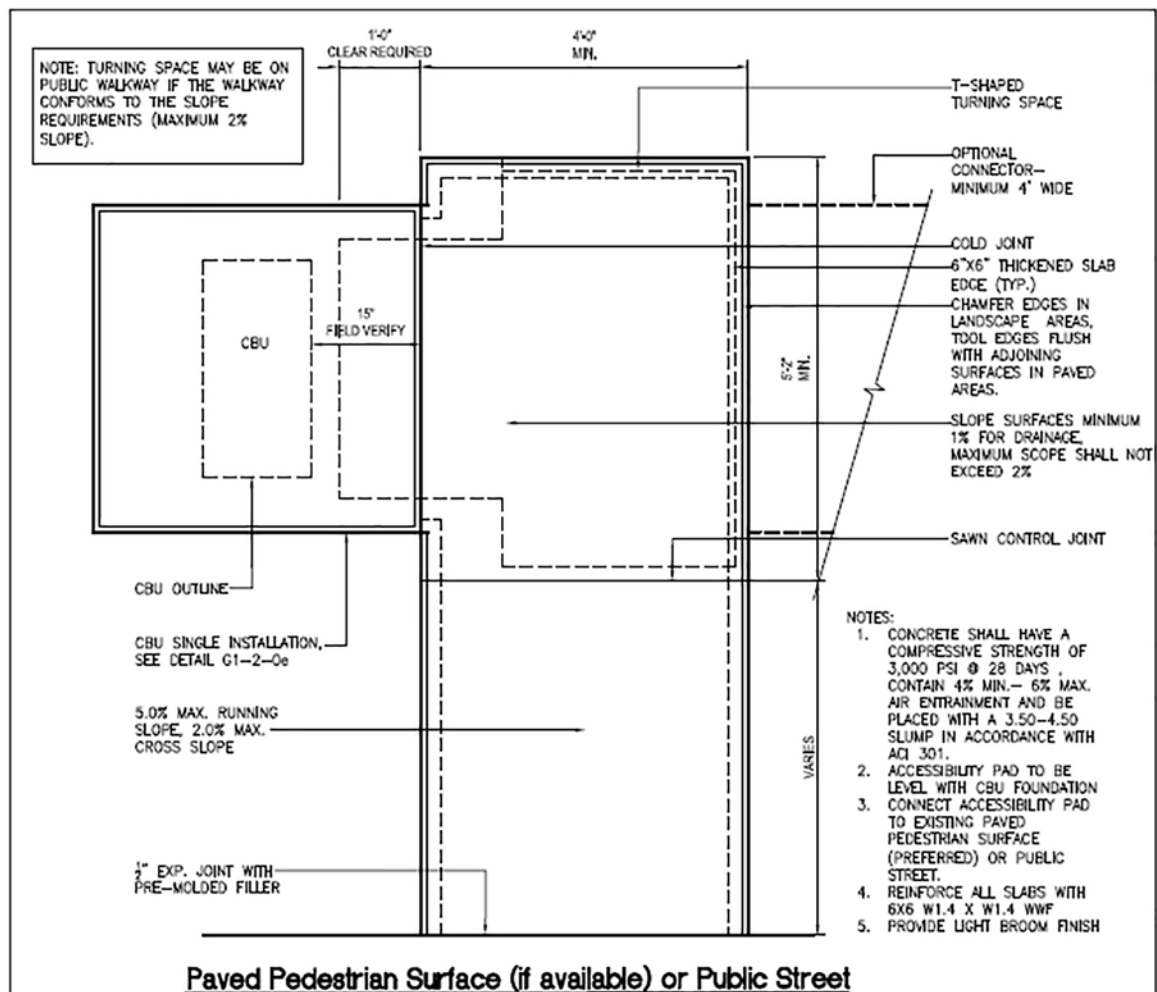
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## Appendix C

# Cluster Box Unit Access Maneuvering Space – Single Unit

## NOTES TO A/E:

1. IF THE ACCESSIBLE ROUTE FROM THE CBU(S) CONNECTS WITH A STREET OR OTHER PAVED SURFACE AT A VERTICAL CURB, A CURB RAMP SHOULD BE INSTALLED IN ACCORDANCE WITH RE-4 REQUIREMENTS.



Detail: **CLUSTER BOX UNIT (CBU) ACCESS  
MANEUVERING SPACE - SINGLE UNIT**

CAD File: **usps\library\details\G1-2-0e2.dwg**

Scale: **1/2" = 1'-0"**

0 1/2" 1"

Fac. Ch. Sect. Para. Detail  
**G1-2-0e2**

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Last Revised: 7/14/2016

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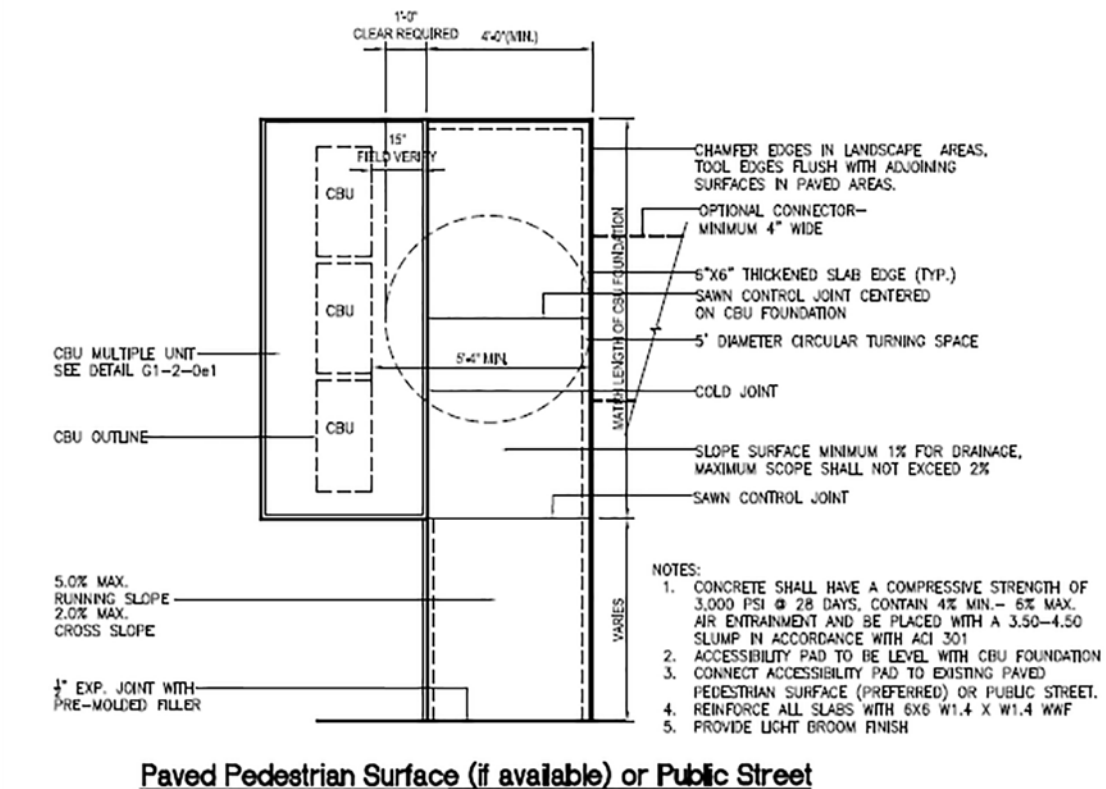
## Appendix D

# Cluster Box Unit Access Maneuvering Space – Multiple Unit

## NOTES TO A/E:

1. IF THE ACCESSIBLE ROUTE FROM THE CBU(S) CONNECTS WITH A STREET OR OTHER PAVED SURFACE AT A VERTICAL CURB, A CURB RAMP SHOULD BE INSTALLED IN ACCORDANCE WITH RE-4 REQUIREMENTS.

NOTE: TURNING SPACE MAY BE ON PUBLIC WALKWAY IF THE WALKWAY CONFORMS TO THE SLOPE REQUIREMENTS (MAXIMUM 2% SLOPE).



Detail

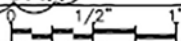
### CLUSTER BOX UNIT (CBU) ACCESS MANEUVERING SPACE - MULTIPLE UNIT

CAD File:

..\\usps\\library\\details\\G1-2-0e3.dwg

Scale:

1/4"-1'-0"



Fac. | Ch. | Sect. | Para. | Detail

G1-2-0 e3

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Last Revised: 7/14/2016

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prompt corrective action after being properly notified, the postmaster may, with the approval of the district manager, withdraw delivery service.

#### 623.22 **Delivery to Mailbox Inside of a Screen or Storm Door**

These mailboxes must meet the following requirements:

- a. When the box is inside a screen or storm door, the door must be left unlocked; otherwise, the box should be located outside the door or a slot should be provided in the outer door.
- b. When porches are screened in or enclosed by other material, and are used as living or sleeping quarters, the screen or storm door is considered the entrance door to the house. In these cases, notify the customers that they must place their mail receptacle outside the door or provide a slot in the door.

#### 623.3 **Safety or Security**

Delivery service may be suspended when there is an immediate threat (including, but not limited to, threats due to loose animals) to the delivery employee, mail security, or postal property. Suspension of service should be limited to an area necessary to avoid the immediate threat. Postmasters should request corrective action from responsible parties and restore normal service as soon as appropriate.

#### 623.4 **Travel Obstructions**

Persons responsible for road maintenance must be notified of road conditions obstructing the delivery of mail. If repairs are not made promptly, service may be withdrawn with the approval of the district manager. Resume service as soon as the road conditions are improved.

#### 623.5 **Vacant Delivery Points**

The Postal Service may withdraw delivery service to vacant delivery points. A vacant delivery point is a delivery point where responsible personnel are aware the delivery point has been unoccupied for a period longer than ninety (90) consecutive days.

## 63 Modes of Delivery, Mail Receptacles, and Keys

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### 631 **Modes of Delivery**

#### 631.1 **General**

The Postal Service-approved modes of delivery available for all existing delivery points, including newly established and extensions of delivery points, are in [631.24](#). Centralized delivery is the preferred mode of delivery for all new residential and commercial developments. Curbside, sidewalk delivery, and door modes are generally not available for new delivery points, with very rare exceptions, as determined by the Postal Service in its sole discretion, on a case-by-case basis. The characteristics of the area to be served and the methods deemed necessary to provide adequate service by the Postal Service are described in greater detail throughout this section.

### 631.2 **Centralized Delivery (Preferred Mode)**

Centralized delivery service is the preferred mode of delivery and may be provided to call windows, horizontal locked mail receptacles, cluster box units (CBUs), wall-mounted receptacles, or mechanical conveyors (mechanical conveyors are only for high-rise and multiple-tenant buildings, and only if certain conditions are met; consult your postmaster for details).

- a. *Delivery requirements:* CBUs and USPS STD 4C (wall-mounted) equipment may be approved for use at one or more centralized delivery points in a residential housing community or business location. The local postal manager or District designees must approve the mailbox sites and type of equipment. Boxes must be safely located so that customers are not required to travel an unreasonable distance to obtain their mail and to provide sufficient access to mailbox locations. Normally, it is appropriate for the receptacle to be within one block of the residence.
- b. *Centralized delivery addresses:* Centralized delivery mail receptacles (including USPS STD 4C equipment and CBUs, delivery centers, and postal centers) must be identified by the same addresses as the dwellings for which they serve as mail receptacles. The respective, conforming addresses should be displayed inside the boxes and visible only to the carrier and customer when accessing that receptacle. USPS does not assign addresses; however, the sequential ordering of any centralized delivery equipment is subject to USPS approval for operational efficiency and to accommodate special circumstances or requests for hardship delivery. For security or privacy, mailer associations or customer groups may use another alphanumeric identification system on the outside of receptacles that is not part of, or used in, the mailing address.

### 631.21 **Curbside Delivery**

Delivery may only be provided to boxes at the curb with prior approval from the Postal Service, and so long as they can be efficiently, safely, and conveniently served by the carrier from the carrier's vehicle, and so that customers have reasonable and safe access. Mail receptacles must be grouped two to a property line, where possible.

### 631.22 **Sidewalk Delivery**

Sidewalk delivery may be provided to boxes located near the public sidewalk, only with prior approval from the Postal Service. Options and requirements for sidewalk delivery, as directed by the Postal Service, are as follows:

- a. If the sidewalk abuts the curb or if other unusual conditions exist (e.g., excessive street parking) that make it difficult or impractical to install or serve boxes at the curblane, customers in these situations may be permitted to install all their boxes at the edge of the public sidewalk nearest the residence, where they can all be served by a carrier from the sidewalk.
- b. If the average lot frontage is 50 feet or less, the boxes must be located so that the carrier can serve them from the sidewalk. The boxes are not required to be grouped together.



- c. If the average lot frontage is over 50 feet and does not exceed 75 feet, the boxes must be installed in groups of at least two.
- d. If the average lot frontage exceeds 75 feet, CBUs must be installed.

631.23 **Door Delivery**

Door delivery may be provided to boxes located at or near the door of a business or residential delivery point, or through a door slot, only with prior approval from the District Manager, and only if the box or mail slot can be efficiently, safely, and conveniently served by the carrier.

**Door delivery will not be available for new delivery points, except in very unusual circumstances as determined by the Postal Service in its sole discretion.**

631.24 **Newly Established or Extended Delivery Points**

631.241 **General**

Newly established or extended business or residential customers must request and receive approval of the delivery location and mode of delivery from the local Postmaster or District designees. These deliveries will not receive mail delivery service until the mail receptacles are installed and the units and locations are approved by local postal management. Options and requirements for modes of delivery are directed by the Postal Service.

631.242 **Newly Established or Extended Centralized Delivery Points (Preferred Mode)**

Centralized delivery is the preferred mode for new or extended business or residential delivery points, with very rare exceptions, as determined by the Postal Service in its sole discretion, on a case-by-case basis (see [631.1](#)). The mail receptacle and location of the delivery point(s) are approved by local postal officials in advance of the occupancy of the residence, business, or other site associated with the delivery point.

631.243 **Newly Established or Extended Sidewalk or Curbside Delivery Points**

Sidewalk or curbside delivery is permitted for new or extended business or residential delivery points, only with prior approval from the Postal Service. The mail receptacle and location of the delivery points are approved by the local District Manager in advance of the occupancy of the residence, business, or other site associated with the delivery points.

631.244 **Newly Established or Extended Door Delivery Points**

Door delivery will not be available for new delivery points, except in unusual circumstances as determined by the Postal Service in its sole discretion. Approval for newly established or extended business or residential door delivery points must come from the Area Vice President or designee. The Area Vice President must report the number of granted requests for newly established or extended business or residential door delivery points to Headquarters Delivery or its designee quarterly.

### 631.3 **Business Areas**

The type and design of buildings govern the mode of delivery to be implemented; the location of USPS-approved delivery equipment is subject to Postal Service approval. Centralized delivery is the preferred mode of delivery for new delivery points, with very rare exceptions, as determined by the Postal Service in its sole discretion, on a case-by-case basis. Modes of delivery are described below:

- a. *Centralized Delivery.* Centralized delivery service is for all business office buildings, office complexes, and industrial/professional parks. This may include call windows, horizontal locked mail receptacles, cluster box units (CBUs), wall-mounted receptacles, or mechanical conveyors (mechanical conveyors are only for high-rise and multiple-tenant buildings, and only if certain conditions are met; consult your postmaster for details).
- b. *Single Point Delivery.* Where an exception to [631.1](#) has been granted by the District Manager or District designee, and subject to Area approval, single-point delivery (door, curbside, or sidewalk) may be provided for single points, receptacles, or door slots provided by business management.
  - (1) If there is an elevator and if the offices are open to receive mail on all normal service days, or if door slots are provided, delivery may be authorized to all floors of office buildings.
  - (2) If there is no elevator, delivery is provided to the first floor, either to a centralized location as prescribed in [631.2a](#), or, where exceptions have been granted, to single points located on the first floor and to the second floor if it is occupied primarily by business offices and when such service is requested.

### 631.4 **Residential Housing (Except Apartment Houses and Transient Mobile or Trailer Homes)**

The available options for residential areas, aside from apartment houses, transient mobile or trailer homes, colleges and universities, and other sites are covered under part [615](#). Delivery mode options are constrained by USPS policies and procedures, in light of the characteristics of the area to be served and the methods needed to provide adequate service. Centralized delivery is the preferred mode for new delivery points. Curbside, sidewalk delivery, and door modes are generally not available for new delivery points, with very rare exceptions, as determined by the Postal Service, in its sole discretion, on a case-by-case basis (see [631.1](#)).

### 631.5 **Exceptions**

#### 631.51 **Extension of Service Within an Existing Block**

New deliveries built or established within a block of existing deliveries can only receive the same type of service as the older deliveries, subject to Postmaster approval and after consideration of Postal Service operational efficiencies. When new development replaces more than one block, delivery methods must comply with mode of delivery options for establishment and extension of delivery service.

**631.52 Hardship Cases**

Procedures and guidelines for changes in delivery in hardship cases are as follows:

- a. Changes in the mode of delivery authorized for a delivery point are considered where service by existing methods would impose an extreme physical hardship on an individual customer. Any request for a change in delivery mode must be submitted in writing.
- b. Approval of these requests should be based on humanitarian and not economic criteria; however, rural delivery customers requesting a hardship extension must also meet current criteria for extension of rural delivery service (see [653](#)). Each request for a change in delivery service should be evaluated based on the customer's needs; a request should not be denied solely because of increased operational costs or because a family member or other party may be available to receive mail for the customer.
- c. If the local postmaster denies a request, the request must be sent to the district for review. The final decision is made by the district manager.
- d. If a customer no longer requires a variation in the type of delivery service, mail service must be restored to the mode of delivery in effect in the area.
- e. Hardship requests must be renewed annually by the customer and approved by the Postmaster.

**631.53 Local Ordinances**

If a customer chooses not to erect a curbside box because of a local, city, county, or state ordinance prohibiting the installation of mailboxes at the curb, the delivery options in establishments and extensions are as follows:

- a. *Centralized Delivery Service.* See [631.2](#).
- b. *Post Office Box or General Delivery Service.* Post Office Box or general delivery service may be provided at the nearest postal facility where carrier delivery emanates, or where may be otherwise available to a customer.

**631.54 Apartment Houses****631.541 General**

Delivery of mail to individual boxes in a residential building containing apartments or units occupied by different addressees is contingent upon USPS concluding the following requirements are met:

- a. The building contains three or more units (above, below, or behind — not side by side) with:
  - (1) A common building entrance such as a door, a passageway, or stairs; and
  - (2) A common street address (some part of the address is shared) approved by local or municipal authorities.
- b. The installation and maintenance of mail receptacles are approved by the Postal Service.

- c. Each apartment is provided one box, including that of any resident manager or janitor, unless the management has arranged for mail to be delivered at the office or desk for distribution by its employees.
- d. The grouping of the boxes for the building is at a single point readily accessible to the carrier.

**Note:** The tenant's correct mailing address is the address of the entrance at which the mail receptacles are located, and should include the apartment number or designated mailbox number.

631.542 **Exceptions**

Delivery of mail to individual boxes in multiple residential buildings containing apartments or units occupied by different addressees is contingent upon USPS concluding the following requirements are met:

- a. If more than one such building in an apartment house complex has the same approved common street number, delivery of mail to individual boxes is contingent on the grouping of all the boxes for the common street number at a single point readily accessible by the carrier even though some boxes may serve residents in more than one building.
- b. If such a building has more than one entrance, delivery of mail to receptacles grouped at more than one entrance is contingent on each entrance to which delivery is made serving three or more apartments or flats and the assignment, by local or municipal authorities, of a different street number to each such entrance.
- c. When new apartments are being erected or existing ones remodeled, postmasters will inform builders and owners of these regulations' requirements and will provide appropriate advice and inspection to ensure that safe and durable receptacles are properly located and installed in conformance with regulations. Postal Service-approved parcel lockers may be used with approved mail receptacles.

631.55 **Mobile or Trailer Homes**

631.551 **Options**

The delivery options for mobile or trailer home developments depend on Postal Service determination of whether the development is permanent or transient.

631.552 **Permanent Developments**

Permanent developments consist of managed mobile home parks or residential mobile home subdivisions where the lots are permanently assigned, the streets are maintained for public use, and the conditions resemble those of a residential subdivision. For permanent developments, the delivery options are either central, curbside, or sidewalk delivery, as directed by the Postal Service, see [631](#).

a. *Central Delivery*

- (1) Delivery service may be provided to a single point or receptacle designated by local management for the receipt of mail and distribution by its employees.

- (2) Delivery service may be provided to one or more central points for the direct receipt of mail by postal customers within the area. The requirements for such central delivery are as follows:
  - (a) Local Postal Service managers must approve the mailbox sites and equipment.
  - (b) Customers must not be required to travel an unreasonable distance to obtain their mail, and reasonable access must be provided to the equipment location.
- b. *Curbside Delivery.*  
 Delivery service may only be provided to boxes at the curb, as directed by the Postal Service, so that they can be served efficiently, safely, and conveniently from the carrier's vehicle and give customers reasonable and safe access. Mail receptacles may be grouped two to a property line where possible.
- c. *Sidewalk Delivery*
  - (1) If the sidewalk abuts the curb or other unusual conditions exist (e.g., excessive street parking) that make it difficult or impractical to install or serve boxes at the curbline, customers with these situations may install boxes at the edge of the sidewalk nearest the residence where they can all be served by the carrier from the sidewalk.
  - (2) In such conditions, if the average lot frontage is 75 feet or less, the sidewalk boxes are not required to be grouped together; if the average lot frontage exceeds 75 feet, the sidewalk boxes must be installed in groups of at least two.
  - (3) If the average lot frontage is 50 feet or less, customers may be permitted to locate all their mailboxes at the edge of the sidewalk nearest the residence rather than at the curb, regardless of whether the sidewalk abuts the curb or other unusual conditions exist. All the boxes must be located so the carrier can serve them from the sidewalk.

#### 631.553 **Transient Developments**

Transient developments are mobile home, trailer, and recreational vehicle parks where the lots are temporarily occupied or rented and considered transient, short-term, or seasonal, even though some families may live in them for extended periods. For these developments, the only option is delivery to a single point or receptacle designated by park management and approved by local Postal Service managers for the receipt of all mail and subsequent distribution or mail forwarding by employees of the park. This method is also available for permanent developments.

#### 631.6 **Colleges and Universities**

##### 631.61 **Administration Buildings**

Mail is delivered to principal administration buildings. Mail undeliverable as addressed or not addressed to a specific building is delivered to the main administration building office for further handling. At larger universities, mail is delivered to the different departments, colleges, faculty buildings, or

principal campus structures, such as the Chemistry Building, Engineering Building, and so forth, provided that mail is addressed accordingly and volume warrants such delivery. Delivery is not to be made to individual offices within buildings.

#### 631.62 **Dormitories or Residence Halls**

Mail is delivered to dormitory buildings and residence halls when addressed to a specific building. Mail is delivered in bulk to a designated representative of the school or property, who then becomes responsible for further distribution to students and residents. Postal Service personnel do not distribute mail into apartment-type mailboxes for dormitories or residence halls.

A dormitory building or residence hall often consists of single or multi-room units that may share or have access to centrally located kitchens, bathrooms, showers, or social or common areas. Whether located on or off campus, and regardless of private ownership, such buildings are nevertheless dormitory buildings or residence halls and the building owner or operator is responsible for the final delivery of student mail.

Where no affiliation with the school is established, the Postal Service determines the proper mode of delivery to be established based upon the totality of the circumstances, and may require that designees from the property be identified to accept mail for each location prior to initiating delivery. In making such a determination based upon the totality of the circumstances, the Postal Service weighs the following, among other considerations:

- a. The nature of the leases offered by the property (e.g., whether the leases' starting month corresponds to academic semesters or other school-related schedules and whether the lease term is for a period of less than one year).
- b. Whether the leases are generally for a bedroom within a multi-bedroom unit or for the entire unit and the scope of the lessee's liability in case of default.
- c. The Postal Service's treatment of similarly situated properties.
- d. The property's proximity to the school.
- e. External information furnished by the school and/or by local government, including any pertinent zoning classification.
- f. Whether the property is primarily marketed to students.
- g. The residency turnover rate.
- h. Amenities catering to student populations.
- i. Any other relevant factor.

#### 631.63 **Married Student Housing**

Apartments and housing units for married students are often complete quarters consisting of a living room, kitchen or dinette, bedroom (s), and bath. Whether located on or off campus, and regardless of ownership, the apartment mail receptacle requirements in [631.54](#) apply.

**631.64 Fraternity and Sorority Buildings**

Deliver mail in bulk to a common mailbox or to a representative of the organization if addressed to a specific building.

**631.65 Parcels**

Deliver parcels in the same manner as other ordinary mail matter.

**631.66 Forwarding of Mail**

Forwarding mail for former students and for current students during the summer and vacation periods is the responsibility of the institution or building owner, except where delivery to respective apartment receptacles is being provided to married housing. Encourage school officials to include mail forwarding, proper mail addressing, and other related postal features in general instructions to students.

**631.67 Noncity Delivery Offices**

Where city delivery service is not established, students may obtain Post Office Box service, use general delivery, or the institution may arrange to pick up the mail in bulk and make its own distribution and delivery.

### 631.7 **Conversion of Mode of Delivery**

In this section, *conversion* refers to changing existing mail delivery to a more economical and efficient mode. The key to converting existing deliveries is identifying those deliveries that are most costly to the Postal Service.

Delivery managers can go into any delivery territory where delivery has been established for over 1 year and solicit to convert the mode of delivery if it would be cost beneficial to the Postal Service.

Postmasters may establish a mixed delivery area where in-growth or extensions of service within a block compel a change in modes of delivery for newly constructed or renovated delivery points. This policy applies to both residential and business delivery locations. When a residence is sold, the mode of delivery cannot be changed arbitrarily prior to the new resident moving in. The existing mode of delivery must be retained absent an agreement otherwise. If an owners' association or property management company represents the property or the community, it may request a change in the mode of delivery on behalf of the community or property. In rental areas, such as apartment complexes and mobile home parks, the owner or manager may request a conversion on behalf of the apartment complex, mobile home park, or other rental property. Approval is at the sole discretion of the Postal Service. Delivery will begin only after the approval of a mail receptacle and its location by the local Postmaster.

Where there is no homeowners' association or other property management company with authority to request a conversion on behalf of the owners, residents, or the community, customer signatures must be obtained prior to any conversion. In single-family housing areas (including manufactured housing and mobile homes) where the residences and lots are owned, each owner must agree to the conversion in writing. Owners who do not agree must be allowed to retain their current mode of delivery.

When a residence is sold, the mode of delivery cannot be changed arbitrarily prior to the new resident moving in. The existing mode of delivery must be retained absent an agreement otherwise. If an owners' association represents the community, it can direct the mode of delivery for the community. In rental areas, such as apartment complexes and mobile home parks, the owner or manager can approve a conversion.

### 631.8 **Correction of Improper Mode of Delivery**

#### 631.81 **General**

In the event an improper mode of delivery is established or extended by a postal carrier or manager, the service will be withdrawn with a thirty (30) day advance notice to the affected customer(s), provided that the error is detected and the customer is notified within one (1) year. If the error is not detected and the customer is not notified within one (1) year of the date delivery is established or extended, the improper service remains in place unless the customer consents to the delivery mode change or a delivery point with improper modes of delivery in a vacant delivery is first identified during the vacant period per section [623.5](#). When the new customer(s) in



these vacant deliveries are identified by Postal Service management and informed (within the first 30 days of occupancy) that the current mode of delivery was established incorrectly and will need to be corrected.

For purposes of clarity, note that the one (1) year time period described above is not intended to apply to section 631.62, which prescribes the delivery methods appropriate to dormitory buildings or residence halls. For such properties, an improper mode of delivery may thus be withdrawn at any time upon a thirty (30) day advance notice to the property owner or manager and affected customer(s).

#### 631.82 **Refusal by Customer**

If a customer refuses to accommodate the Postal Service's delivery mode determination by refusing to provide an approved mail receptacle or permit the Postal Service to install its own, General Delivery service may be provided at the nearest postal facility where the carrier delivery emanates or where may be otherwise available to the customer.

#### 631.9 **Military Installations**

##### 631.91 **Family Housing**

Delivery to family housing on military installations is effected in accordance with [611](#), [64](#), [65](#), or [66](#), whichever is appropriate.

##### 631.92 **Other Services -Agreement With the Military**

Other services are provided to military installations in accordance with Publication 38, *Postal Agreement with the Department of Defense*, signed on February 21, 1980, reprinted in pertinent part:

#### III. POLICY

- A. The Military Postal Service is operated as an extension of the United States Postal Service® as authorized by 39 U.S.C. 406.
- B. The Department of Defense and the Postal Service agree to attempt to furnish mail service to the military equal to that provided the civilian population in the United States.
- C. The Department of Defense and the Postal Service affirm the importance of the national goal of energy conservation, and both parties resolve to minimize energy expenditure while conducting military postal operations.

#### IV. RESPONSIBILITIES

- A. The Department of Defense agrees to:
  1. Maintain and operate military Post Offices in support of Armed Forces operations and personnel at locations outside the United States, or inside the United States where the military situation requires;
  2. Ensure that each military Post Office that provides postal financial or accountable mail services or exchanges incoming and outgoing mail directly with carriers is supervised by at least one qualified, on-site military member of the Armed Forces;

3. Administer the military postal service in accordance with the law, with policies and regulations of the Postal Service, and with consistent implementing directives of the Department of Defense;
  4. Arrange with foreign governments to permit military Post Offices to be established and military postal operations to be conducted in foreign countries;
  5. Furnish information required by the Postal Service to provide efficient postal services to authorized personnel and units;
  6. Establish and operate mail control activities at principal locations used by the Postal Service to receive and dispatch military mail and to provide information to distribute and dispatch military mail and to provide information for overseas and maneuver forces, ships, and other mobile units;
  7. In time of war or national emergency, assist or supplement Postal Service operation of bulk mail centers, postal concentration centers, and airport mail facilities;
  8. Establish and operate mail control activities at military aerial ports to receive outgoing military mail from the Postal Service for dispatch via military air transport and to receive incoming military mail via military air transport for entry into civilian postal channels;
  9. Conduct postal finance services at military Post Offices, to include selling stamps and stamped paper; issuing domestic money orders; cashing money orders, when feasible; and providing Certified Mail, Insured Mail, and Registered Mail services. Remittances to the Postal Service shall be in dollars in the amounts required by the schedule of rates, fees, and charges provided by postal regulations;
  10. Make periodic audits and inspections of military Post Offices.
- B. The United States Postal Service agrees to:
1. Provide postal services for the Armed Forces at locations inside the United States, including the establishment of civilian Post Offices on military installations and the usual postal finance, mail handling, and carrier delivery and collection consistent with United States postal laws and regulations, normal standards of the Postal Service, and changing military requirements;
  2. Establish and operate postal concentration centers, as needed, for the concentration, sorting, and delivery or dispatch of military mail in accordance with requirements of the Department of Defense;
  3. Process military mail in an expeditious manner while efficiently separating mail for the Armed Forces prior to delivery or dispatch;

4. Furnish information to the Department of Defense to permit proper routing of military mail prior to its entry into civilian postal channels;
5. Authorize the establishment of military Post Offices as branches of designated civilian Post Offices;
6. Extend stamp credits from designated civilian Post Offices to postal finance offices and other custodians of postal effects;
7. Assist the Department of Defense by informing postmasters and the public of proper addressing practices, applicable restrictions, and other military mail matters of interest.

V. ADMINISTRATION

- A. The Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics) shall serve as the point of contact with the United States Postal Service and shall implement and administer this agreement for the Department of Defense. The Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics) may enter into supplemental agreements with the United States Postal Service as may be necessary to carry out the purposes of this agreement.
- B. The Senior Assistant Postmaster General, Operations Group, shall serve as point of contact with the Department of Defense and shall implement and administer this agreement for the United States Postal Service. The Senior Assistant Postmaster General, Operations Group, may enter into supplemental agreements with the Department of Defense as may be necessary to carry out the purposes of this agreement.

VI. REVIEW AND AMENDMENT

- A. This agreement may be amended at any time by mutual agreement. It shall be renewed every five years by the Department of Defense and the Postal Service.

SUPPLEMENTAL POSTAL AGREEMENT: ADMINISTRATIVE DETAILS

I. TRANSPORTATION

- A. The Department of Defense agrees to arrange for military mail transportation from overseas postal facilities to commercial or military terminals in the United States and between military postal activities within overseas areas.
- B. The Postal Service agrees to:
  1. Arrange for military mail transportation to overseas postal facilities from commercial terminals in the United States and make transportation arrangements when the postal services of another country are required. However, this does not preclude military departments from making direct arrangements for the transportation of military mail to or between designated overseas points on a short-term basis when operational requirements dictate.

2. Provide inbound and outbound mail transportation between the postal concentration centers and military or commercial air or surface carriers.
3. Transport mail between civilian Post Offices on military installations and the receiving or dispatching Postal Service facility.

## II. PERSONNEL

### A. The Department of Defense agrees to:

1. Appoint mail clerks and issue them uniform identification cards.
2. Assign only qualified personnel to duties in military Post Offices, mailrooms, mail control activities, and other postal facilities. No persons convicted of a crime involving theft or moral turpitude or disciplined for any action reflecting unfavorably upon their integrity shall be assigned to postal duties. Those having a history of psychiatric disorder, alcoholism, or drug abuse may be so assigned if medical evidence of current good health, sufficient to meet published Postal Service standards, is available. This does not preclude the Department of Defense from establishing requirements that are more stringent than the published Postal Service standards.

## III. EQUIPMENT

### A. The Postal Service agrees to:

1. Provide equipment and furniture necessary for the operation of civilian Post Offices located on military installations.
2. Furnish equipment and supplies for use in military Post Offices. Equipment shall be new or serviceable and shall be issued in accordance with mutually determined issuance standards. Supplies and accountable equipment shall be furnished without charge. Nonaccountable equipment shall be furnished on a reimbursable basis beginning in FY 82.
3. Repair equipment for which it has a unique capability.

### B. The Department of Defense agrees to transport such equipment between the continental United States and the overseas destination.

## IV. DELIVERY

### A. The Department of Defense agrees to:

1. Decline to accept collect on delivery mail for delivery at military Post Offices.
2. Deliver mail to personnel in a temporary duty status, in training, and where delivery requirements exceed Postal Service standards.
3. Deliver accountable mail, delivery of which is restricted by the sender, through mail clerks, only upon the written authorization of the addressee when it is impracticable for

the addressee to accept delivery in person at the civilian Post Office.

B. The Postal Service agrees to:

1. Neither accept nor forward to military Post Offices any collect on delivery mail.
2. Provide delivery service on military installation in the United States commensurate with the delivery service that would be provided for civilian communities of comparable characteristics. Postal Service criteria shall be used in considering extensions of mail service. Mail to principal administrative buildings or commands shall be delivered in bulk. The Postal Service agrees to also provide the mail in bulk to personnel and basic units in a transient or temporary duty status of 180 days or less. Where criteria will not allow free delivery service to be established or extended, the Postal Service agrees to provide the mail for individuals in bulk to basic units. However, in locations with adjacent civilian communities having delivery service, the Postal Service agrees to submit proposals to the Department of Defense to furnish service to groups of receptacles consistent with mutually agreed criteria and funding.
3. Deliver accountable mail addressed to military personnel, at military installations served by civilian Post Offices, to the addressees or mail clerks upon proper receipt.

V. CLAIMS

A. The Department of Defense agrees to:

1. Assume financial liability, under military claims procedures, for loss, damage, theft, wrong delivery, or rifling of accountable mail after receipt from or prior to delivery to a civilian or military Post Office by a mail clerk employed by the Department of Defense.
2. Reimburse the Postal Service for claims submitted by the Postal Service for the value of postal effects embezzled or lost through negligence, errors, or defalcations while in the possession of military Post Office personnel. Reimburse the Postal Service for claims paid by the Postal Service for losses of accountable mail through negligence, errors, or defalcations while in the possession of military Post Office personnel.
  - a. To be reimbursable, claims must be submitted within one year from discovery of the loss by the Postal Service.
  - b. In all just and expedient cases, the military departments may request the Postal Service to take action under 39 U.S.C. 2601(a)(3) to adjust, pay or credit the account of a Military Post Office, Postal Finance Officer, Military Postal Clerk, Financial Postal

Clerk, Custodian of Postal Effects, or persons acting in those capacities for any loss of Postal Service funds, papers, postage, or other stamped stock or accountable paper, under the same standards as such credit is granted to Postal Service employees.

- B. The Postal Service agrees to relieve custodians of postal effects of responsibility for the amount of the invoice of any shipment of stamps or stamped paper lost in transit as a result of casualty.

#### VI. LOGISTICAL AND ADMINISTRATIVE SUPPORT

##### A. The Department of Defense agrees to:

1. Furnish adequate facilities for civilian Post Offices located at military installations solely in support of the installation's mission. Utilities and local telephone service shall be furnished on a reimbursable basis beginning FY 82.
2. Offer billeting and meals to civilian Post Office employees who work at military installations on the same basis as those offered to Department of Defense civilian employees.
3. Issue invitational travel orders for Postal Service representatives who, at the request of the Department of Defense, are assigned to perform inspections, investigations, or audits of overseas military postal operations.

##### B. The Postal Service agrees to:

1. Reserve the right to discontinue civilian Post Offices on military installations where existing conditions endanger the health, safety, or welfare of its employees.
2. Furnish office space for related military mail terminals, fleet Post Offices, or liaison units at postal concentration centers.

#### VII. AUDITS AND INSPECTIONS

##### A. The Department of Defense agrees to:

1. Assist Postal Service representatives in surveying, inspecting, and auditing military postal operations.
2. Conduct surveys, inspections, investigations, and audits of Department of Defense postal facilities and operation as needed to verify that accountable postal effects are on hand and properly protected, that all revenue due the Postal Service is being collected and properly accounted for, and that the service rendered is efficient and in accordance with Postal Service and Department of Defense regulations.

- B. The Postal Service agrees to assign Postal Inspectors or other representatives of the Postal Service, as practicable, to conduct surveys, inspections, investigations, and audits of military postal operations to assure that efficient postal service is maintained.

#### VIII. MAIL SORTATION

- A. Except in time of war or other emergency as determined by the Secretary of Defense, the Postal Service agrees to:
  - 1. Sort mail for overseas forces in fixed base units to the 5-digit Army Post Office/Fleet Post Office ZIP Code separation. Mail for ships and other mobile units shall be sorted to the mobile unit by ZIP Code or name when warranted. Mail for maneuver forces, air groups, submarine groups, units in transit or temporary duty status for 180 days or less, and other similar units shall be separated in accordance with the needs of the Department of Defense. The Department of Defense agrees to develop mail routings for all of the above mail and provide the routing instructions to the postal concentration centers of the Postal Service.
  - 2. Sort mail for the forces at installations in the United States where delivery receptacles are not provided to basic military units or numbered boxes in groups of approximately 200, so far as practicable and mutually agreeable to the Postmaster and military authorities concerned.
- B. In time of war or other emergency as determined by the Secretary of Defense, the Postal Service agrees to:
  - 1. Allow the Department of Defense to control ZIP Code assignment to all military units.
  - 2. Specify jointly with the Department of Defense the sorting of mail for overseas forces and forces at installations in the United States.
- C. Postal Service criteria shall be used to assign ZIP Codes to military installations in the United States.
- D. The Department of Defense and the Postal Service agree to cooperate in the assignment and use of overseas ZIP Codes.
  - 1. Normally each military installation shall have one 5-digit ZIP Code, although special circumstances may be considered in assigning additional ZIP Codes. Additional ZIP Codes shall only be assigned if all resulting separations receive at least 1,000 pieces of mail per day. The implementing procedures for 9-digit ZIP Codes shall be jointly developed.
  - 2. The Department of Defense agrees to make every reasonable effort to see that its components have the correct ZIP Code in their address and return address. The Postal Service agrees to make every reasonable effort to see that the correct ZIP Code is in the address and return address of mail for military units and personnel originated by other government agencies and the civilian sector. Since the ZIP Code furnishes the Postal Service with its sole method of forwarding Army Post Office and Fleet Post Office mail, the Postal Service agrees to return to sender at the Post Office of origin all mail for Army Post Office or

Fleet Post Office addresses that does not have an authorized Army Post Office/Fleet Post Office ZIP Code.

IX. MAIL FORWARDING

- A. Where the Department of Defense delivers the mail it agrees to provide directory service for undeliverable-as-addressed military mail and endorse each piece to show a forwarding address or reason for nondelivery.
- B. Where the Postal Service delivers the mail it agrees to maintain change of address forms and endorse forwardable mail that is undeliverable as addressed.

X. SAM/PAL LAW

- A. This paragraph provides for the joint development of regulations as required by 39 U.S.C. 3401 (f)(1976) by the Postal Service and the Department of Defense concerning administration of the "SAM/PAL Law." Each party agrees to designate one or more organizational counterparts to serve on a committee to discuss conditions and regulations under which the SAM/PAL law will be jointly administered.
  - 1. For the Postal Service, the designees are: The Assistant Postmasters General, Mail Processing Department, and Rates and Classification Department, or their designees; and the Chief Postal Inspector or his designee.
  - 2. For the Department of Defense, the designee is: The Deputy Assistant Secretary of Defense (Supply, Maintenance and Transportation) or his designee.
- B. Neither party shall take any unilateral action with respect to implementing policies, conditions, or regulations promulgated exclusively under the SAM/PAL law without prior consultation with the other party. Committee meetings may be held upon written request of either party. Following such consultation, a joint committee report may be prepared for transmission to the respective managements.
- C. Nothing herein is intended to provide for the joint administration of any activity whose administration is not provided for by 39 U.S.C. 3401 (f)(1976).
- D. This section supersedes the supplementary agreement dated September 30, 1976, concerning "Joint Administration of 39 U.S.C. 3401 (the SAM/PAL Law) by the United States Postal Service and the Department of Defense."

631.93 **Reference**

See Publication 38-A, *Guidelines for Providing Postal Services on Military Installations*, for details on providing delivery, collection, and retail services.



## 632 Mail Receptacles

### 632.1 Customer Obligation

#### 632.11 Responsibilities

Appropriate mail receptacles must be provided for the receipt of mail. The type of mail receptacle depends on the mode of delivery in place. Purchase, installation, and maintenance of mail receptacles are the responsibility of the customer. Appropriate locations for installation should be verified with local Postmasters. Customer obligations are as follows:

- a. In locations where door delivery has been authorized, customers must provide either house-mounted boxes that provide adequate protection and security for the mail and that are approved by the local Postmaster, or they must provide door slots (see [632.3](#)).
- b. If curblane delivery is authorized, customers must erect curb-mounted receptacles that comply with USPS-STD-7c (see [632.5](#)).
- c. If sidewalk delivery is authorized, customers must erect sidewalk-mounted receptacles that comply with USPS-STD-7c (see [632.5](#)).
- d. If centralized delivery is authorized, customers must install mail receptacles that comply with USPS STD 4C Wallmounted Mail Receptacles or USPSB1118, Postal Service specification, Cluster Box Units (see [632.6](#)).

**Note:** There is no local authority for the use of or approval of unauthorized centralized delivery equipment or centralized delivery systems. Contact Engineering or Delivery Post Office Operations at Headquarters for any necessary assistance.

#### 632.12 Exception

The Postal Service may elect, under certain conditions, to purchase, install, and maintain curb-mounted mail receptacles or cluster box units.

#### 632.13 Receptacles Not Required

Business complexes are not required to provide mail receptacles where door delivery was approved and authorized by the Postal Service and businesses are open to receive mail. If the offices are not open when the carrier arrives on normal service days, centralized mail receptacles must be provided.

#### 632.14 Approach to Mailbox

The customer is responsible for keeping the approach to his or her mailbox clear to facilitate delivery. Where the approach to the mail receptacle located at the curb is temporarily blocked by a parked vehicle during normal delivery hours for the area, or snow or ice hampers the approach to the mailbox, the carrier normally dismounts to make delivery. If the carrier continually experiences a problem in serving curblane boxes and where the customer is able to control on-street parking in front of his or her mailbox but does not take prompt corrective action after being properly notified, the postmaster may, with the approval of the district manager, withdraw delivery service.

**632.2 Keys to Customer's Private Mail Receptacle****632.21 General**

Carriers are prohibited from accepting keys for locks on private mail receptacles, buildings, or offices, except where an electromechanical door lock system or a key keeper box located within convenient reach of the door is used. Both devices must incorporate an Arrow lock to access the key or device needed to gain entry to the building. If customers place locks on their receptacles, the receptacles must have slots large enough to accommodate their normal daily mail volume so that delivery may be made by the carrier without using a key.

**632.22 Locks and Keys**

The Postal Service is responsible for providing every customer a compartment lock and three keys to his or her postal-owned Cluster Box Unit (CBU). No key deposits are required; advise customers that they may duplicate their keys at no expense to the Postal Service. Postal managers must take the following actions in issuing and controlling locks and keys for postal-owned CBUs:

- a. Give all compartment keys to customers with a notice stating that the Postal Service keeps no duplicate keys and if they lose all the keys, the Postal Service will have to install a new lock at the customer's expense.
- b. If customers lose their keys, arrange for the repairs and charge the customer accordingly.
- c. Request that customers return all compartment keys to the Post Office when they move from their residence. When a customer moves, the Post Office should change the lock before reissuing the compartment. The new customer is not charged for the first lock and keys even though the Postal Service replaced it.
- d. When new centralized delivery equipment is installed, the keys may either be taped to the inside of the receptacle until the compartment is issued, or stored at the Post Office. A suggested method of storage is to use P-570 envelopes labeled with address, compartment number, CBU location, and CBU identifying number.

**Note:** The builder or property owner is responsible for providing lock and key service for privately owned CBUs.

**632.3 Door Slot Specifications**

The clear rectangular opening in the outside slot plate must be at least 1-1/2 inches wide and 7 inches long. The slot must have a flap, hinged at the top if placed horizontally or hinged on the side away from the hinge side of the door if placed vertically. When an inside hood is used to provide greater privacy, the hooded part must not be below the bottom line of the slot in the outside plate if placed horizontally or beyond the side line of the slot in the outside plate nearest the hinge edge of the door if placed vertically. The hood at its greatest projection must not be less than 2-1/16 inches beyond the

inside face of the door. Door slots must be placed no less than 30 inches above the finished floor line.

#### 632.4 **Receptacles Purchased by Postal Service**

Cluster Box Units (CBUs) and Outdoor Parcel Lockers (OPLs) may be purchased by the Postal Service from approved manufacturers. Specifications for construction of CBUs are covered in USPS-B-1118, *Postal Service Specification, Cluster Box Units*. Specifications for construction of OPLs are covered in USPS-B-1116, *Postal Service Specification, Outdoor Parcel Lockers*. Individuals or firms interested in the manufacture of these units should write to:

ENGINEERING  
IP DELIVERY & RETAIL SYSTEMS  
US POSTAL SERVICE  
8403 LEE HWY  
MERRIFIELD VA 22082-8150

#### 632.5 **Curbside Mailboxes**

##### 632.51 **Specifications for Manufacturers**

##### 632.511 **Policy**

Manufacturers of all mailboxes designed and manufactured to be erected at the edge of a roadway or curbside of a street and to be served by a carrier from a vehicle on any city, rural, or highway contract route must obtain approval of their products according to USPS-STD-7, *Postal Service Mailboxes, Curbside*. A copy of USPS-STD-7 and a current listing of approved manufacturers and mailbox models may be obtained by writing to:

ENGINEERING  
IP DELIVERY & RETAIL SYSTEMS  
US POSTAL SERVICE  
8403 LEE HWY  
MERRIFIELD VA 22082-8150

##### 632.512 **Approved Manufacturers and Models**

A current listing of approved manufacturers and models can be obtained from the office listed in section [632.511](#).

##### 632.52 **Installation and Use**

##### 632.521 **Custom-built Curbside Mailboxes**

Postmasters are authorized to approve curbside mailboxes constructed by individuals who, for aesthetic or other reasons, do not want to use an approved manufactured box. The custom-built box must conform generally to the same requirements specified in USPS-STD-7. Approval of such custom-built boxes will be done on a case-by-case basis. Such approval may be granted only for individual personal use, not for boxes produced as a commercial enterprise.

##### 632.522 **Identification**

When box numbers are used on curbside mailboxes, the numbers must be inscribed in contrasting color in neat letters and numerals not less than 1 inch high on the side of the box visible to the carrier's regular approach, or on the door if boxes are grouped. Where street names and house numbers

are assigned by local authorities and the postmaster has authorized use of a street name and house number as a postal address, the house number must be shown on the box. If the box is on a different street from the customer's residence, the street name and house number must be inscribed on the box. Placement of the owner's name on the box is optional. Advertising on boxes or supports is prohibited.

**632.523 Posts and Supports**

The Postal Service does not regulate mailbox supports in any way except for purposes of carrier safety and delivery efficiency. Posts and other supports for curbside mailboxes are owned and controlled by customers, who are responsible for ensuring that posts are neat and adequate in strength and size. Heavy metal posts, concrete posts, and miscellaneous items of farm equipment, such as milk cans filled with concrete, are examples of potentially dangerous supports. The ideal support is an assembly that bends or falls away when struck by a vehicle. Post or support designs may not represent effigies or caricatures that disparage or ridicule any person. Customers may attach the box to a fixed or movable arm.

The Federal Highway Administration (FHWA) has determined that mailbox supports no larger than 4 inches by 4 inches, or a 2-inch diameter standard steel or aluminum pipe, buried no more than 24 inches, should safely break away if struck by a vehicle. According to FHWA, the mailbox must also be securely attached to its post to prevent separation if struck.

**632.524 Location**

Curbside mailboxes must be placed so that they may be safely and conveniently served by carriers without leaving their conveyances. They must be reasonably and safely accessed by customers. Boxes must also be on the right-hand side of the road and in the carrier's direction of travel in all cases where driving on the left-hand side of the road to reach the boxes would pose a traffic hazard or violate traffic laws and regulations. On new rural or highway contract routes, all boxes must be on the right side of the road in the carrier's direction of travel. Boxes must be placed to conform to state laws and highway regulations. Carriers are subject to the same traffic laws and regulations as are other motorists. Customers must remove obstructions, including vehicles, trash cans, and snow, that make delivery difficult. Generally, mailboxes are installed at a height of 41 to 45 inches from the road surface to the bottom of the mailbox or point of mail entry. Mailboxes are set back 6 to 8 inches from the front face of the curb or road edge to the mailbox door. Because of varying road and curb conditions and other factors, the Postal Service recommends that customers contact the postmaster or carrier before erecting or replacing their mailboxes and supports.

**632.525 Grouping**

Boxes should be grouped wherever possible, especially at or near crossroads, service turnouts, or other places where a considerable number of boxes are presently located.

**632.526 More Than One Family**

If more than one family wishes to share a mail receptacle, the following standards apply:

- a. *Route and Box Number Addressing.* On rural and highway contract routes authorized to use a route and box numbering system (e.g., RR 1 BOX 155), up to five families may share a single mail receptacle and use a common route and box designation. A written notice of agreement, signed by the heads of the families or the individuals who want to join in the use of such box, must be filed with the postmaster at the distributing office.
- b. *Conversion to Street Name and Number Addressing.* When street name and numbering systems are adopted, those addresses reflect distinct customer locations and sequences. Rural and highway contract route customers who are assigned different primary addresses (e.g., 123 APPLE WAY vs. 136 APPLE WAY) should erect individual mail receptacles in locations recommended by their postmasters and begin using their new addresses. Customers having *different primary addresses* but wishing to continue sharing a common receptacle must use the address of the receptacle's owner and the "care of" address format:

JOHN DOE  
C/O ROBERT SMITH  
123 APPLE WAY

Customers having a common primary address (e.g., 800 MAIN ST) but different secondary addresses (e.g., APT 101, APT 102, etc.) may continue to share a common receptacle if single-point delivery is authorized for the primary address. Secondary addresses should still be included in all correspondence.

#### 632.527 **Locks**

The use of locks, locking devices, or inserts on curbside mailboxes on rural and highway contract routes is prohibited. See the list of curbside mailbox manufacturers for approved locking style mailboxes (a current listing of approved manufacturers and models can be obtained from the office listed in section [632.511](#)). The Postal Service does not allow carriers to open locked boxes and does not accept keys for this purpose.

#### 632.528 **Unstamped Newspapers**

Curbside mailboxes are to be used for mail only, except for newspapers regularly mailed at Periodicals rates. Publishers of these newspapers may, on Sundays and national holidays only, place copies of the Sunday or holiday issues in the rural and highway contract route boxes of subscribers, with the understanding that these copies must be removed from the boxes before the next day on which mail deliveries are scheduled.

#### 632.529 **Newspaper Receptacles**

A receptacle for the delivery of newspapers may be attached to the post of a curbside mailbox provided that no part of the receptacle interferes with the delivery of mail, obstructs the view of the flag, or presents a hazard to the carrier or the carrier's vehicle. The receptacle must not extend beyond the front of the box when the box door is closed. No advertising may be displayed on the outside of the receptacle, except the name of the publication.

**632.53 Nonconforming Mailboxes**

Carriers must report to the postmaster any existing mailboxes that no longer conform to postal regulations. The postmaster sends PS Form 4056, *Your Mailbox Needs Attention*, to the owners of these boxes to request that they remedy the irregularities or defects. All newly installed or replacement mailboxes must be approved models in accordance with USPS-STD-7. A current listing of approved manufacturers and models can be obtained from the office listed in section [632.511](#).

**632.54 State and Local Regulations**

Some states have enacted laws that are more stringent and specific about the type of mailbox that may be used, the post or support that must be used to mount the mailbox, and the location of the delivery equipment. Regulations and recommendations published here might not reflect appropriate requirements for your area. When providing guidance to the general public concerning mailbox placement and replacement, advise them not only of postal regulations but also of any mailbox regulations that you know have been enacted by state or local authorities.

**632.6 Apartment House Receptacles****632.61 General**

Specifications for construction and approval procedures for manufacturers are covered in USPS STD 4C (RDD), Wallmounted Mail Receptacles. Individuals or firms interested in the manufacture of apartment house mailboxes should write to:

ENGINEERING  
IP DELIVERY & RETAIL SYSTEMS  
US POSTAL SERVICE  
8403 LEE HWY  
MERRIFIELD VA 22082-8101

**632.62 Installation****632.621 General**

Owners and managers of apartment houses, or other multi-unit dwellings with obsolete apartment house mail receptacles should install up-to-date receptacles currently approved by the Postal Service to ensure safety of access and security of the mail. When such buildings are substantially renovated or remodeled, or when box locations change, obsolete receptacles should be replaced with currently approved receptacles.

**632.622 Location and Arrangement**

Regulations for the location and arrangement of receptacles are subject to Postal Service approval as follows:

- a. All new or remodeled apartment houses can only install USPS-approved 4C equipment. When installing this equipment, a requirement is to have at least one parcel locker for every five customer mail compartments. For those buildings with a minimum of five mail compartments, there must be at least one parcel locker installed.
- b. Receptacles and parcel lockers in apartment houses should be located reasonably close to the entrance in vestibules, halls, or lobbies. The

carriers must be able to serve the boxes without interference from swinging or open doors. The area must be adequately lighted to afford the best protection to the mail and to let carriers read addresses on mail and names on boxes without difficulty.

- c. Installation of standard, approved apartment receptacles in exterior walls of buildings may be authorized, provided that they are not installed directly on the street or a public sidewalk. Wherever possible, keep at least 15 feet between the boxes and the street or sidewalk; the location should be clearly visible from one or more apartment windows. A canopy must be provided, and it must be designed and located to afford maximum protection from the weather, including driving rains. In addition, adequate night lighting must be installed.

**632.623 Access to Rear-Loading of Horizontal-Type Receptacles**

Carrier access to the rear area of mailrooms containing rear-loading mailbox panel(s) shall be provided via a secure access door fitted with an ANSI 156.13 F15 lock. A security door, frame, and the F15 lock shall be selected and installed in accordance with all the requirements for residential mailrooms as specified in Handbook RE-5, *Building and Site Security Requirements*, Chapter 3, and in Central Delivery Guidelines, Section 10. A key to the door lock must be available to the carrier via a key keeper manufactured and installed in accordance with United States Postal Service Specification for Key Keepers, USPS-B-3180. The rear of the mailbox panel(s) must have a door or cover in accordance with USPS STD 4C to prevent the removal of mail from adjacent boxes and to prevent mail from coming out through the back. The cover or door must be easily opened and closed or else removed and replaced.

**632.624 Installation With Telephone Units**

The guidelines for installing receptacles with telephone units are as follows:

- a. When it is necessary or desirable to install mail receptacles with a standard-size telephone unit, vertical-type receptacles may be placed in two tiers. They may also be installed in groups of fewer than seven if necessary to properly arrange the groups in two tiers. This does not apply if the telephone unit is installed independently of the mail receptacles. Although there is no objection to combining these two services, the mail receptacles must be separated from the telephone or electrical unit. Electric push buttons, connected to wires outside the mail receptacles, may be placed in the frame of the installation if the push buttons can be removed from the outside and if the wire connections can be repaired without removing the receptacles.
- b. Telephone units combined with mail receptacle units must allow access to the telephone unit without having to enter the mail receptacle; the mail receptacle must not be accessible when the telephone unit is opened.

**632.625 Key and Record Controls**

The following key and record controls apply to apartment houses:

- a. Apartment house managers must maintain a record of the number of keys supplied by manufacturers so that new keys may be ordered when necessary. The record should match the key number to the

receptacle number. Do not place key numbers on the outside barrels of the locks because this would allow unauthorized persons access to keys and boxes. Clearly number each individual receptacle lock on the back; replace lost keys as needed according to lock numbers. Master-keying is not permitted.

- b. Apartment house managers must also maintain a record of key numbers and combinations of keyless locks so that new tenants may be given the combination. These records must be kept in the custody of the manager or a trusted employee. The record of key numbers must be kept until the lock is changed, when the old record may be destroyed and a replacement record created.
- c. Combination locks are not approved under current Postal Service receptacles standards.

#### 632.626 **Directories**

Guidelines for Postal Service apartment house directories are as follows:

- a. For all apartment houses with 15 or more receptacles, maintain a complete directory of all persons receiving mail. If an apartment house is divided into units, each with separate entrances and 15 or more receptacles, each unit should have a separate directory. In addition, if mail is not generally addressed to specific units, a directory must be kept at the main unit of the building listing all persons receiving mail in the various units.
- b. Directories must be alphabetical by surname and must be maintained and kept up-to-date. The receptacle number and apartment number should always be the same, and the apartment number should appear to the right of the name in the directory. If the apartment number is different from the receptacle number, the receptacle number should appear to the left of the name in the directory. Follow the same arrangement for apartments that are either lettered or lettered and numbered.
- c. The directory must be legible, enclosed in a suitable protective frame, and attached to the wall immediately above or to the side of the mail receptacles where it can easily be read. If mailrooms are used, the directory should be placed for the carrier's convenience. If an attendant, such as a telephone operator, doorman, or elevator conductor, is on duty between the hours of 7:00 a.m. and 11:00 p.m., and the mail is delivered either to apartment house receptacles or in bulk for distribution by employees of the building, the employee on duty in the building may keep the directory to make it available to the carrier on request.

#### 632.627 **Maintenance and Repair**

The guidelines for receptacle maintenance and repair are as follows:

- a. Owners or managers of buildings must keep receptacles in good repair. When an inside-letterbox Arrow lock is no longer needed, the building management must immediately notify the postmaster, who will then send a postal employee to supervise removal of the lock from the master door and return it to the Post Office.
- b. Carriers will report on PS Form 3521, *House Numbers and Mail Receptacles Report*, all apartment houses that are being remodeled



and all unlocked or out-of-order mailboxes. Delivering employees and postmasters must ensure that all inside-letterbox Arrow locks are recovered when buildings are torn down or remodeled.

- c. When informed of equipment needing repair or irregularity in the operation of apartment house mail receptacles, postmasters will promptly initiate an investigation and direct what repairs must be made at the expense of the owners or managers. To avoid any questions about disposition or treatment of mail, repairs must be made only when a postal representative is present. It is unlawful for anyone other than postal employees to open receptacles and expose mail.
- d. Failure to keep boxes locked or in proper repair as directed by postmasters is sufficient justification for withholding mail delivery and requiring occupants to call for their mail at the Post Office or carrier delivery unit serving the location. A reasonable notice of approximately 30 days will be given in writing to the customers and the owner or manager of the apartment building.
- e. If mail deposited by a carrier in an apartment house mail receptacle is reported lost or stolen, or if there is an indication that the mail has been willfully or maliciously damaged, defaced, or destroyed, the postmaster must immediately report the circumstances to the Postal Inspection Service.
- f. The U.S. Code prescribes criminal penalties for the wrongful possession of mail locks and the willful or malicious injury or destruction of letterboxes and the theft of mail therefrom.

#### 632.628 **Approved Manufacturers and Models**

A current listing of approved manufacturers and models can be obtained from the office listed in section [632.511](#).

#### 632.63 **New or Remodeled Apartment Buildings**

When new apartments are being erected or existing ones remodeled, postmasters will inform builders and owners of these regulations' requirements and will provide a suitable inspection to ensure that only approved receptacles are installed in conformance with regulations.

### 633 **Mail Keys**

#### 633.1 **Types**

The following types of mail keys are available:

- a. LA keys.
- b. Rotary lock keys.
- c. Arrow lock keys used on street letter or collection boxes and apartment houses mail panels, and new neighborhood delivery and collection box units (NDCBUs).
- d. Serial padlock keys.
- e. Motor vehicle keys and motor vehicle padlock keys.
- f. Highway contract route keys, SR padlock.

## 633.2 **Personnel to Whom Keys Are Issued**

### 633.21 **LA Keys**

LA keys are issued to all Post Offices, stations, branches, airport mail facilities, authorized postal employees, and military Post Offices.

### 633.22 **Rotary Lock Keys**

Rotary lock keys are issued to the following:

- a. CAG A-J Post Offices, airport mail facilities, and military Post Offices.
- b. Other Post Offices and installations as authorized by their district manager.

### 633.23 **Other Keys**

Other types of keys are issued to authorized postal employees.

## 633.3 **Obtaining Keys**

### 633.31 **General**

Postal locks and keys are available from:

MAIL EQUIPMENT SHOPS  
US POSTAL SERVICE  
2135 5TH ST NE  
WASHINGTON DC 20260-6224

Mail Equipment Shops (MES) manufactures most of the locks and keys used by the Postal Service. PS Form 4983, *Postal Key and Lock Requisition*, will be used to order Post Office box locks and keys.

### 633.32 **LA and Rotary Lock Keys**

Keys for newly established Post Offices will be furnished by the Mail Equipment Shops upon receipt of PS Form 4983, except that rotary lock keys for CAG K and L Post Offices must be requested by the district managers or their designees. Request additional and replacement keys on PS Form 4983 from:

MAIL EQUIPMENT SHOPS  
US POSTAL SERVICE  
2135 5TH ST NE  
WASHINGTON DC 20260-6224

## 633.4 **Safekeeping Keys**

### 633.41 **In Installations**

#### 633.411 **LA Keys**

Attach LA keys in use to fixtures by a chain.

#### 633.412 **Rotary Lock Keys**

Attach rotary lock keys in use to a safe by a chain, except when it is more practicable to attach to other fixtures for ready access.

### 633.42 **Arrow Lock Keys**

Employees must turn in Arrow lock keys daily on completion of duty. Carriers must keep Arrow lock keys attached to their clothing by a chain at all times while on duty. If a clearance employee is not available, Arrow lock keys (and any other postal keys in temporary use, such as for vehicles) should be deposited in a secure location, for instance, a designated storage box.

**633.5 Record of Keys****633.51 Where to Record**

Keep a record of the date of receipt, number of the key, and the combination, if any, at CAG A-G Post Offices on PS Form 1628, *Individual Key Record*. Other Post Offices must maintain a record of mail keys in the space provided on the inside back covers of their cash books.

**633.52 Keys Assigned to Carriers**

Have each carrier receipt mail keys issued to them. To eliminate the need for the carrier to repeatedly sign the key record book or PS Form 1628, use one of the following plans:

- a. Make up sets of keys for each route and enter the number of each key in the key record book. Opposite the key number, place the number of the route to which the key is assigned. Issue metal or fiber key checks, each bearing a different number, to both regular and substitute carriers and obtain a receipt from the carriers. When a carrier calls for a set of keys assigned to the route the carrier is serving, have him or her surrender his or her key check. Place the check on separation in the key case. Return the check to the carrier when he or she returns the key.
- b. Make up sets of keys for each route and attach a tag bearing a serial number to each set. Enter this number, in addition to the route number, in the key record. This number will identify the set of keys and may be entered on the receipt to be signed by a substitute carrier for any set the carrier draws. The sets of keys may be issued to regular carriers upon surrender of key checks issued to them.

**633.53 Keys Assigned to Other Employees**

Keys assigned to other employees for collection purposes must be accounted for as prescribed above.

**633.6 Keys Lost, Stolen, Missing, or Found**

Report the recovery or finding of keys in the same manner as described in ASM 273, except that a duplicate copy of the memorandum shall be sent direct to the Mail Equipment Shops with the key. Retain serviceable LA keys for local use if needed.

**633.7 Keys From Discontinued Offices**

Handle keys from discontinued offices under instructions received from the district manager.

**633.8 Unserviceable Keys**

Forward unserviceable mail keys by Registered Mail to:

MAIL EQUIPMENT SHOPS  
US POSTAL SERVICE  
2135 5TH ST NE  
WASHINGTON DC 20260-6224

A letter of transmittal or a list of the keys by number is not necessary, but the package of keys must be properly identified. Do not send any other item or requisition in the same package with unserviceable keys.

**633.9 Receipt and Control**

Receipt and control all mail keys and locks according to the instructions in ASM 273.

## 64 City Delivery Service

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**641 Establishment of City Delivery Service**

See [63](#) for authorized modes of delivery.

**641.1 Definition**

In this section, *establishment* refers to the initiation of city delivery service in a community through a Post Office that does not currently provide it.

**641.2 Requirements**

In establishing city delivery service, a combination of delivery methods is considered to provide regular and effective service to all residential and business sections of a community. All establishments of delivery service must have final approval of the district manager, Customer Service and Sales, or designee. Establishment of city delivery service is considered when the following essential requirements are met:

- a. Within the area to be served there is a population of 2,500 or more or 750 possible deliveries. (The postal customer population may vary greatly from the general census population because of different boundary interpretations and designations.)
- b. At least 10 percent of the building lots in the area to be served are improved with houses or business places. Where a house or building and its yard or ground cover more than one lot, all lots so covered are considered improved. The streets are paved or otherwise improved to permit the travel of Postal Service vehicles at all times, without damage or delay.
- c. Streets are named and house numbers are assigned by the municipal authorities in accordance with Management Instruction DM-940-89-3, *Addressing Conventions*.
- d. Street signs are in place and house numbers are displayed.
- e. Rights-of-way, turnouts, and areas next to roads and streets are sufficiently improved so that the installation, servicing, and accessing of boxes are not hazardous to the public or Postal Service employees.
- f. Satisfactory walkways exist for the carrier where required.
- g. Approved mail receptacles or door slots are installed at designated locations, as directed by the Postal Service.

## 642 Extensions

### 642.1 Definition

In this section, *extension* refers to the expansion of city delivery service to any areas not currently receiving delivery service but that are within the delivery limits of a Post Office from which city delivery service is already provided.

### 642.2 Requirements

The delivery service requirements for extensions are the same as those listed in [641.2](#) for establishments, with the following exceptions:

- a. Section [641.2a](#) does not apply to extensions.
- b. The applicability of b may be waived if:
  - (1) There is a reasonable expectation that the requirements of [641.2b](#) can be met within 12 months, and
  - (2) CBUs or USPS STD 4C equipment are to be used for delivery.

### 642.3 Out-of-bounds Customers

Customers outside the limits of city delivery service may be given delivery service, where approved by the Postal Service, if they erect boxes on the delivery carrier's line of travel. Parcel Post, Insured Mail, Certified Mail, COD, and Registered Mail are delivered to the residences or businesses of out-of-bounds customers if the residences or businesses are not more than three blocks from the carrier's line of travel and passable walks are constructed or the street is not impassable. Otherwise, a notice is left in the box requesting that the customer call for the mail. If an ordinary parcel is involved and it can be placed in the box, delivery is made in that manner.

## 643 Requests for Delivery Service

### 643.1 General

Requests or petitions to establish, change, or extend city delivery service must be made to the local postmaster. No formal petition is required. Postmasters forward requests or petitions to establish service to the district designee with a statement reporting whether the requirements in [641.2](#) have been met.

### 643.2 Labor Strikes

The procedures for delivery to an address experiencing a labor strike are as follows:

- a. Where a labor strike is in progress, the same service as was in effect prior to the strike should continue. No requests for changes in mail service will be complied with while the strike is in progress. If a request is received to have mail delivered to a plant that is normally received through Post Office box service or at a firm call window, advise that the request will not be granted until after the strike is over.
- b. Where it is the practice of a firm to transport mail to and from a detached mail unit (DMU) and a request is received for the Post Office

to perform this service during a strike, disapprove the request because this involves a change in mail service.

## 644 **Carrier Duties, Responsibilities, and Conduct**

Refer to Handbook M-41, *City Delivery Carriers Duties and Responsibilities*.

## 645 **Management**

### 645.1 **Pivoting Definition**

Pivoting is a method of utilizing the undertime of one or several carriers to perform duties on a temporary vacant route or to cover absences. Nonpreferential mail may be curtailed within delivery time standards on the vacant route and/or on the route of the carriers being pivoted.

### 645.2 **Pivoting Usage**

Pivoting is not limited to periods when mail volume is light and when absences are high, but also can be utilized throughout the year for maintaining balanced carrier workloads.

## 646 **Reporting Local Ordinances and State Laws**

Managers are expected to report in a timely manner to district offices any contemplated action by local or state authorities to enact or consider enactment of local ordinances or state laws that would adversely affect operating costs or performance of postal services.

# 65 **Rural Delivery Service**

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## 651 **Types of Service**

### 651.1 **Regular and Auxiliary Routes**

A regular or auxiliary route operates Monday through Saturday, excluding holidays. Regular routes are classified as H, J, or K, in accordance with the table of route classifications provided in the Postal Service-NRLCA National Agreement. Regular carriers assigned to H routes work 6 days per week, while J routes receive 1 scheduled relief day per pay period, and K routes have 2 scheduled relief days per pay period.

Mileage routes, also referred to as M or RCS routes, are regular routes on which the carrier is compensated on the basis of the route's mileage and the RCS (mileage) schedule. Mileage routes are no longer established. As existing mileage routes are vacated or standard hours increase so that the evaluated salary of the carrier would exceed the RCS salary, they are converted to the evaluated compensation system, at the appropriate classification.

**Note:** Authorized relief days are granted on Saturdays unless another day is desired by the regular carrier and is mutually agreeable to the postmaster and carrier. For J routes, the postmaster may schedule the relief day on either the first or second Saturday of the pay period.



# CITY OF CARMEL-BY-THE-SEA

## CITY COUNCIL

### Staff Report

November 7, 2023  
ORDERS OF BUSINESS

**TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Brandon Swanson, Community Planning & Building Director

**APPROVED BY:** Chip Rerig, City Administrator

**SUBJECT:** Mills Act Policy Discussion

#### RECOMMENDATION:

Receive the report and provide direction to staff.

#### BACKGROUND/SUMMARY:

##### Executive Summary:

The Mills Act was adopted by the State of California in 1972. The City of Carmel-by-the-Sea adopted a Mills Act program as part of the Local Coastal Program in 2004. The Council last discussed the City's Mills Act Policy on October 4, 2022 and April 4, 2023; following a review of the existing Policy, review of various policy approaches practiced by jurisdictions across the State, and discussion of possible modifications at the April 4, 2023 Council Meeting, the Council declined to pursue any changes to the City's Mills Act Policy. In response to Council direction received on October 3, 2023, this staff report includes information on the Policy's financial impacts to the City (see "Fiscal Impact" section). The staff report also includes policy information previously provided to the Council in October, 2022 and April, 2023 as context. Lastly, this staff report discusses the issue of rehabilitation/maintenance work completed within one year prior to contract finalization; while the Mills Act program is intended to be an incentive to complete future, planned work, there may be instances where the Council may wish to consider recently rehabilitated properties. Staff is seeking guidance from the Council on Policy modifications, if desired.

##### Background/Summary:

#### BACKGROUND

The Mills Act was adopted by the State of California in 1972, and continues today as California's most important economic incentive program for the restoration and preservation of qualified historic buildings by private property owners. Mills Act legislation grants participating local governments (cities and counties) authority to enter into contracts with owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief. California's four largest cities (Los Angeles, San Diego, San Francisco, and San Jose) as well as more than 75 other city and county governments have instituted Mills Act programs. A list of communities participating in the Mills Act Program is available online at [http://www.ohp.parks.ca.gov/default.asp?page\\_id=21412](http://www.ohp.parks.ca.gov/default.asp?page_id=21412).

The City of Carmel-by-the-Sea adopted a Mills Act program as part of the Local Coastal Program in 2004, and since then has entered into new contracts with private property owners on a near-yearly basis. The property owner benefits from a reduction in property taxes, while the City benefits from having historic resources rehabilitated, maintained, and preserved.

Properties must be included on both the Carmel Historic Inventory and the Carmel Register of Historic Resources prior to being eligible for a Mills Act contract. To be listed on the Carmel Historic Inventory, an assessment of historical significance must be conducted to determine whether the property is eligible. Eligible properties are those which represent at least one theme in the City's Historic Context Statement; retain substantial integrity; are at least 50 years of age; are associated with significant events or people; embody distinctive characteristics; or yield information important to prehistory or local, state, or national history. To be listed on the Carmel Register, a property owner must submit a request in writing and their request must be approved by the Historic Resources Board. Listing on the Register provides benefits such as waiver of on-site parking requirements; preservation of existing non-conformities; Federal rehabilitation tax credits; building permit fee reduction of 25%; and, participation in the Mills Act program.

In addition to being listed on the Carmel Historic Inventory and the Carmel Register, a property must be preserved in its historic size, form and design without significant alterations or additions. More specifically, any future addition or alteration must comply with the Secretary's Standards for the Treatment of Historic Properties. Alterations cannot alter, damage, or diminish any primary elevation or character-defining feature; additions cannot increase the floor area by more than 15 percent beyond the amount established in the documented original or historic design; and, additions cannot result in a second-story addition to a single-story historic resource. These limitations apply to both past and planned work.

### ***Mills Act Policy***

The City's current policy regarding Mills Act contracts allows for up to fifteen new contracts to be approved over a three-calendar year period (Attachment 1, Resolution 2016-068). The policy was reviewed by the City Council on March 3, 2020 and no changes were made at that time. The policy was again reviewed by the City Council on October 4, 2022 and April 4, 2023, and no changes were made at that time.

The City currently has 15 active contracts. The two calendar years during which the most Mills Act contracts were approved occurred in 2016 and 2022 when a total of 4 contracts were approved each year. In 2022, the City approved the first Mills Act contract for a commercial property, the Carmel Beach Hotel & Spa (formerly known as the Colonial Terrace Inn). In April 2023, the City entered into the second Mills Act contract for a commercial property: L'Auberge (formerly known as the Sundial Inn).

On October 4, 2022, the City Council discussed potential amendments to the Mills Act policy. The 2022 discussion revealed general Council support for the program, with recognition of the community benefit resulting from the preservation and maintenance of historic properties. However, some Council members expressed a desire to reconsider the length of the contract, limit the number of active contracts at any given time, and consider a dollar value cap on the tax break. Additionally, a concern was raised about high revenue-generating commercial properties receiving a 20-year tax reduction. The summary of each of these topics provided to Council on April 4, 2023 is provided below; ultimately the Council determined on April 4, 2023 not to change the contract length or issue notices of nonrenewal, and not to place limits on the annual number of contracts, assessed valuation, land use type or annual tax revenue loss.

### ***Length of Contracts & Notices of Nonrenewal***

The 2022 Council discussion on length of contracts and Notices of Nonrenewal raised questions of whether or not the contracts should be endless, or if they should have a hard end date before a re-application is needed.



In 2020, the City Attorney worked with City staff to review the contract language to ensure the contract is consistent with State law and our local Mills Act program. On March 3, 2020, the City Council approved the standard contract language (Attachment 2). In accordance with State law, the term of the contract is 10 years. Each year on the anniversary date of the contract, one year is automatically added to the term of the contract. This creates a rolling 10-year contract that automatically renews until such time that either the City or the property owner provides a written notice of non-renewal. Essentially, each January 1st, the 10-year contract restarts.

If the City desires to end a contract, the City must provide the property owner with written notice of non-renewal at least 60 days prior to the annual renewal date. Property owners who desire to end a contract must give written notice to the City at least 90 days prior to the annual renewal date. If a notice of non-renewal is provided, the agreement will expire 9 years from the renewal date of the following January 1st. An example is provided below:

*The City enters into a Mills Act Contract on January 1, 2012. The term of the contract is 10 years. The contract expires on December 31, 2021.*

*On the first anniversary date of the contract, January 1, 2013, one year is automatically added to the contract term. The new contract expiration date is December 31, 2022.*

*On the second anniversary date of the contract, January 1, 2014, one year is automatically added to the contract term. The new contract expiration date is December 31, 2023.*

*However, on November 1, 2014, 60 days prior to the third anniversary date of January 1, 2015, the City issues a Notice of Nonrenewal. The contract expiration date is now fixed at December 31, 2023. Additional years are no longer automatically added to the contract term.*

To date, the City has not issued any Notices of Nonrenewal, and no property owners have issued Notices of Nonrenewal. If the City were to issue such notices no later than November 1, 2023, all of the existing Mills Act contracts would expire on December 31, 2032.

The homeowners of the four contracts approved in 2022 would see a property tax benefit for 10 years, whereas the homeowner whose contract was approved in 2011 would see a property tax benefit for 20 years.

If the Council were to direct staff to issue a Notice of Nonrenewal on all 15 existing contracts, they would expire at the end of 2032 and the City would have zero Mills Act contracts, assuming the City did not enter into any additional contracts.

### ***Potential Policy Restrictions***

Following the October 4, 2022 City Council meeting, staff reached out to 73 jurisdictions throughout California to gather data on their Mills Act programs. A total of 40 responses were received. Of those, the majority did not impose any restrictions on properties seeking a Mills Act contract. Those jurisdictions include: Berkeley; Brea; Campbell; Chico; Chula Vista; City of Monterey; Encinitas; Fontana; Huntington Beach; Los Altos; Monrovia; National City; Oakland; Palm Springs; Placentia; Pomona; San Juan Capistrano; Santa Ana; Santa Monica; Truckee; Ventura; and Ventura County. Some responsive jurisdictions, including but not limited to Pacific Grove, Palo Alto and San Mateo, do not have active Mills Act programs. A minority of responding jurisdictions reported at least one restriction on either the annual number of contracts permitted; assessed valuation limits; land use limits; or tax revenue loss. A summary of

these respondents and the applicable restrictions is provided in the table below and as Attachment 3.

City/County	Annual Limit on the Number of Contracts	Limits on Assessed Valuation	Limits on Land Use Type	Limits on Annual Tax Revenue Loss
Beverly Hills	-	\$8 million for single-family residential \$10 million for multi-family rental \$7.5 million for commercial	-	\$500,000 to City \$400,000 to Schools
Claremont	6	-	Residential only	-
Coronado	-	-	-	50% tax reduction limit for individual properties
Fullerton	10	\$800,000	Residential only	-
Long Beach	22	\$1,558,465 for residential \$4,032,538 for commercial	-	-
Los Angeles City	-	\$1.5 million for residential \$3 million for commercial	-	-
Los Angeles County	-	\$1 million for residential \$3 million commercial	-	-
Monterey County	-	\$3 million for residential \$5 million for commercial	-	-
Pasadena	26	\$2 million for residential No cap on commercial	-	-
Riverside	10	-	-	-
Salinas	-	-	-	\$100,000
San Francisco	-	\$3 million for residential \$5 million for commercial	-	-
San Luis Obispo	10	-	-	-
Santa Barbara	-	\$2.5 million for single-family; \$3 million for multi-family or commercial	-	\$260,000
Santa Clara	10	-	-	-
Sierra Madre	3	-	-	-
Sunnyvale	3	-	-	-

### ***Other Items of Interest***

#### **Completed/Largely Completed Rehabilitation Projects:**

The current Mills Act Policy does not speak explicitly to whether a recently rehabilitated property may be eligible for what would effectively be a retroactive Mills Act Historical Property Contract. The Mills Act program is intended to be an incentive for private property owners to complete future, planned work. CMC 17.32.100.B.6.c.ii requires the Historic Resources Board and the City Council to make the following finding: *The proposed rehabilitation/restoration and maintenance plan is appropriate in scope and sufficient in detail to guide long-term rehabilitation/restoration and maintenance.*

However, there may be instances where the Council may wish to consider recently rehabilitated properties (rehabilitation projects completed within one year of Mills Act contract finalization) that do not require substantial future/additional rehabilitation work. Staff is seeking direction on whether the Mills Act Policy should be updated to specifically address this issue, or whether the Policy does not need to be updated because the current municipal code language is sufficient.

**Application Fees & Inspections:** The current application fee for a Mills Act Contract is \$3,430. The fee is set at an amount intended to cover staff's time processing and recording the application. Following approval and recordation of the contract, homeowners are required to obtain design review approval and/or building permits to carry out the improvements listed in their rehabilitation/maintenance plans. Fees are collected for those planning/building permit applications as appropriate, and the fees include the associated inspection costs for the work being performed.

**Monterey County Tax Assessment Process:** Upon approval of a Mills Act contract by the City Council, the contract is signed by all parties and recorded in the Monterey County Assessor's Office. The County Assessor is tasked with the responsibility of calculating the property taxes in accordance with sections 439-439.4 of the Revenue and Taxation Code which states, in part, that restricted historical properties shall be valued based on a prescribed income capitalization method rather than on sales data (Attachment 4). Jerry Gatt, Monterey County Appraiser, attended the April 4, 2023 City Council meeting to answer questions about the assessment process; the meeting was recorded and is available to view online here.

Mills Act participants may realize substantial property tax savings. The State advises Mills Act applicants to expect (approximately) between 40% and 60% savings each year for newly improved or purchased older properties. Valuations of Mills Act properties are determined by the Income Approach to Value rather than by the standard Market Approach to Value. The income approach, divided by a capitalization rate, determines the assessed value of the property. In general, the income of an owner-occupied property is based on comparable rents for similar properties in the area, while the income amount on a commercial property is based on actual rent received. Because rental values vary from area to area, actual property savings vary from county to county throughout the State. In addition, as County Assessors are required to assess all properties annually, Mills Act properties may see variations in their property taxes each year.

#### **FISCAL IMPACT:**

The City accepts a diminished tax base from properties with Mills Act Contracts in exchange for assurances that historic resources will be rehabilitated, restored, and maintained. Property taxes equal 1% of the property's assessed value. The City of Carmel-by-the-Sea receives 6% of the 1%, and County schools receive 60% of the 1%. A spreadsheet titled "Pre - Post- Taxes (no fees)" provides tax figures for properties where data is available; note that tax records are not publically accessible prior to 2016 (Attachment 5). A spreadsheet titled "Actual Tax Reductions" provides financial data - based on 2022-2023 tax figures - as it relates to City and School tax impacts (as well as impacts to libraries, water resources, successor agencies, special districts, and County) for all properties with approved Mills Act contracts (Attachment 6).

The attached spreadsheets contain several pieces of information about taxes related to each of the City's Mills Act Contract properties, and staff will be prepared to discuss them at the hearing. However, two pieces of information worth mentioning in this report is the actual reduction in tax revenue experienced by the City and the School District because of the existing Mills Act Contracts for the 2022-23 Tax Year. As detailed on the spreadsheet, the total actual loss in tax revenue over all the existing Mills Act Contracts is \$9,123.76. The total loss experienced by the School District over all contracts in the same period is \$91,237.63.

#### **PRIOR CITY COUNCIL ACTION:**

On June 8, 2010, the City Council adopted Resolution 2010-42 approving a limit of three Mills Act Contracts for residential properties within a calendar year and requiring the City Council to evaluate the program again in five years.

On September 13, 2016, the City Council adopted Resolution 2016-068 limiting the number of Mills Act Contracts to fifteen during any three-calendar-year period and requiring the City Council to evaluate the program after three years.

On March 3, 2020, the City Council reviewed the Mills Act policy and did not make any changes. The Council also reviewed and accepted standard contract language for Mills Act Contracts.

On October 4, 2022, the City Council discussed the Mills Act policy and directed staff to return at a later date with additional information.

On April 4, 2023, the City Council discussed the Mills Act policy and did not make any changes.

On October 3, 2023, the City Council agenda included four public hearings for Mills Act applications: MA 23-116 (Esperanza Carmel, LLC); MA 23-117 (Griffin); MA 23-146 (Lopez 5 NW, LLC); and MA 23-103 (Cypress Inn). The Council continued all four public hearings to a date uncertain (since determined to be December 5, 2023). The Council directed staff to return with additional information about the fiscal impact of approved contracts, specifically in regards to lost tax revenue to schools and the City.

## **ATTACHMENTS:**

Attachment 1 - Resolution 2016-068

Attachment 2 - Standard Mills Act Contract

Attachment 3 - Mills Act Survey (Spring 2023)

Attachment 4 - Mills Act Guidelines for the Assessment of Enforceably Restricted Historical Property

Attachment 5 - Spreadsheet: Pre-Post Taxes (no fees)

Attachment 6 - Spreadsheet: Actual Tax Reductions

**CITY OF CARMEL-BY-THE-SEA  
CITY COUNCIL**

**RESOLUTION NO. 2016-068**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA ESTABLISHING A LIMIT ON THE NUMBER OF MILLS ACT CONTRACTS THAT CAN BE APPROVED TO FIFTEEN DURING ANY THREE CALENDER YEAR PERIOD AND REQUIRING THE CITY COUNCIL TO EVALUATE THE PROGRAM AFTER THREE YEARS**

WHEREAS, the City has adopted a General Plan and Municipal Code that strive to protect the village character through clear policies and regulations that guide historic preservation; and

WHEREAS, the Mills Act was adopted by the State of California in 1972; and

WHEREAS, jurisdictions are not required to implement the Mills Act, but participating jurisdictions may establish specific application requirements to suit local needs; and

WHEREAS, the City adopted the Mills Act as a potential benefit to property owners of historic resources as part of the Local Coastal Program; and

WHEREAS, the City Council recognizes the potential benefits of the program but also the potential fiscal impacts that could result from the unlimited approval of Mills Act Contracts; and

WHEREAS, establishing a limit on the number of contracts that can be approved will allow the City to implement the Mills Act Program without significantly impacting a revenue source that is vital to the City's operating budget; and

WHEREAS, in 2010 the City Council adopted Resolution 2010-42 which limited the number of Mills Act contracts to 3 per calendar year; and

WHEREAS, Resolution 2010-42 will be superseded by the adoption of this resolution; and

**NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:**

1. Limit the number of Mills Act Contracts that can be approved to fifteen (15) in any three calendar year period.
2. Require the City Council to review the Mills Act Program in three (3) years, in the year 2018, to determine whether to continue offering Mills Act Contracts or make revisions as necessary.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 13<sup>th</sup> day of September, 2016 by the following roll call vote:**

AYES: COUNCILMEMBERS: Hardy, Reimers, Richards, Theis, Dallas

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

SIGNED:

ATTEST:

  
Steve G. Dallas, Mayor

  
Ashlee Wright, City Clerk

RECORDING REQUESTED BY  
CITY OF CARMEL-BY-THE-SEA

AND WHEN RECORDED MAIL TO

Carmel City Hall  
Attn: Community Planning & Building  
P.O. Box CC  
Carmel-By-The-Sea, CA 93921

This space reserved for the Recorder's use only

CITY OF CARMEL-BY-THE-SEA  
MILLS ACT HISTORIC PROPERTY PRESERVATION CONTRACT

**THIS AGREEMENT** is made and entered by and between the CITY OF CARMEL-BY-THE-SEA a municipal corporation (hereinafter referred to as "City"), and **PROPERTY OWNER** (hereinafter referred to as "Owner").

RECITALS

- (i) California Government Code Section 50280, et seq. (known as the Mills Act) authorizes cities to enter into contracts with the owners of qualified historic properties to provide for their appropriate use, maintenance and restoration such that these historic properties retain their historic characteristics;
- (ii) The Owner possesses fee title in and to that certain real property, together with associated structures and improvements thereon, located at **ADDRESS** (APN: **123-456-789**), Carmel-By-The-Sea, California, (hereinafter referred to as the "Historic Property"). A legal description of the Historic Property is attached hereto, marked as "**Exhibit A**" and is incorporated herein by reference;
- (iii) The property is identified as a historic resource on the City of Carmel-By-The-Sea's Historic Inventory and Register of Historic Resources and is further described in the DPR 523A Form attached hereto, marked as "**Exhibit B**" and is incorporated herein by reference;
- (iv) City and Owner, for their mutual benefit, now desire to enter into this Agreement both to protect and preserve the characteristics of historical significance of the Historic Property, as it exists at the date of this contract and as described in the City's Register of Historic Resources and the National Register of Historic Places, and to qualify the Historic Property for an assessment of valuation pursuant to the provisions of Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code.

NOW, THEREFORE, City and Owner, in consideration of the mutual covenants and conditions contained herein, do hereby agree as follows:

1. **INCORPORATION OF RECITALS.** All recitals are incorporated into this Agreement.
2. **EFFECTIVE DATE AND TERM.** This Agreement shall be effective and commence on the date the Agreement is signed by the City, unless otherwise indicated by the County of Monterey, and shall remain in effect for a minimum term of ten (10) years thereafter.
3. **AUTOMATIC RENEWAL.** Each year, upon the anniversary of the effective date of this Agreement (hereinafter referred to as “annual renewal date”), one (1) year shall be added automatically to the term of this Agreement, unless timely notice of nonrenewal is given as provided in paragraph 4 of this Agreement. The total length of the contract shall not exceed twenty (20) years.
4. **NOTICE OF NONRENEWAL.** If City or Owner desires in any year not to renew this Agreement, that party shall serve written notice of nonrenewal in advance of the annual renewal date of this Agreement as follows: Owner must serve written notice of nonrenewal at least ninety (90) days prior to the annual renewal date; City must serve written notice of the nonrenewal at least sixty (60) days prior to the annual renewal date. If notice is not received, the Agreement shall automatically be renewed for another year. Upon receipt by Owner of a notice of nonrenewal from the City, Owner may make a written protest. At any time prior to the annual renewal date, City may withdraw its notice of nonrenewal.
5. **EFFECT OF NOTICE OF NONRENEWAL.** If either City or Owner serves timely notice of nonrenewal in any year, and this contract is not renewed, this Agreement shall remain in effect shall remain in effect for the balance of the period remaining since the original execution or the last annual renewal date.
6. **FEES.** The City may require that the Owner(s) of the Historic Property pay a fee that shall not exceed the reasonable cost of providing services, such as inspections, pursuant to Government Code Section 50281.1 (Article 12 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code), for which the fee is charged.
7. **VALUATION OF PROPERTY.** During the term of this Agreement, Owner is entitled to seek assessment of valuation of the Historic Property pursuant to the provisions of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code.
8. **PRESERVATION OF PROPERTY.** Owner shall preserve and maintain the characteristics of historical significance of the Historic Property and agrees to complete rehabilitation and/or maintenance activities as defined in the Rehabilitation/Restoration and Maintenance Plan attached as “Exhibit C”. Requests for revisions to the Maintenance and



Rehabilitation plan shall be reviewed by the Historic Resources Board prior to implementation. In addition, Owner shall comply with the terms of the City's Historic Preservation Ordinance (CMC 17.32). Owners shall not be permitted to further impede any view corridor with any new structure, including but not limited to walls, fences, or shrubbery, so as to prevent the viewing of the Historic Property from the public right-of-way.

9. **RESTORATION OF PROPERTY.** Owner shall, where necessary, restore and rehabilitate the Historic Property to conform to the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, U. S. Secretary of the Interior's Standards for Rehabilitation, the State Historical Building Code, and the City of Carmel-by-the-Sea, all as amended.
10. **INSPECTIONS.** Owner shall allow periodic examinations, at least every five (5) years, with reasonable notice thereof, of the interior and exterior of the Historic Property by representatives of the County of Monterey Assessor and the City of Carmel-By-The-Sea as may be necessary to determine Owner's compliance with the terms and provisions of this Agreement. The City will coordinate inspections by such other agencies that have jurisdiction and will keep them to the minimum necessary to determinate such compliance.
11. **PROVISION OF INFORMATION.** Owner shall furnish City with any and all information required by City, in order to determine the eligibility of the Historic Property, and that City deems necessary or advisable to determine compliance with the terms and provisions of this Agreement.
12. **ANNUAL REPORT.** Owner shall submit an annual report at least 90 days prior to each annual renewal date (October 1<sup>st</sup>) to the Department of Planning and Building specifying all work that has been done to maintain and preserve the historic resource over the preceding year in compliance with the approved maintenance plan.
13. **CANCELLATION.** The City has the right to cancel the contract if the owner allows the property to deteriorate to the point that it no longer meets the standards for a qualified historical property. The City also has the right to cancel this contract if the owner(s) breaches the provisions of paragraph's # 8, 9, 10 or 12 of this Agreement after the City has provided reasonable notice of any failure to comply with the agreement, and a public hearing. Notice of the hearing shall be mailed to the last known address of each owner of the property, with the notice conforming to the provisions of Government Code section 6061., If after notice and a hearing, the contract is cancelled, termination of the Agreement is immediate, and the owner shall pay a cancellation fee equal to 12.5 percent of the current fair market value of the property, as determined by the Monterey County Assessor as though the property were free of the contractual restriction. The cancellation fee shall be paid to the Assessor, at the time and in the manner that the Assessor shall prescribe. City's right to cancel this Agreement pursuant to this paragraph

shall in no way limit or restrict its rights or legal remedies arising from City's Historic Preservation Ordinance and Municipal Code.

14. **ENFORCEMENT OF AGREEMENT.** In lieu of and/or in addition to any provisions to cancel this Agreement as referenced herein, City may specifically enforce, or enjoin the breach of, the terms of this Agreement.
15. **WAIVER.** City does not waive any claim or default by Owner if City does not enforce or cancel this Agreement. All remedies at law or in equity, which are not otherwise provided for this Agreement or in City's regulations governing historic properties are available to City to pursue in the event there is a breach of this Agreement. No waiver by City of any breach or default under this Agreement shall be deemed to be a waiver of any other subsequent breach thereof or default hereunder.
16. **BINDING EFFECT OF AGREEMENT.** Owner hereby subjects the Historic Property to the covenants, reservations and restrictions set forth in this Agreement. City and Owner hereby declare their specific intent that the covenants, reservations, and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon Owner's successors and assigns in title or interest to the Historic Property. A successor in interest shall have the same rights and obligations under this Agreement as the original owner who executed the Agreement. Each and every contract, deed or other instrument hereinafter executed, governing or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered and accepted subject to the covenants, reservations and restrictions expressed in this Agreement regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instrument. City and Owner hereby declare their understanding and intent that the burden of the covenants, reservations and restrictions set forth herein touch and concern the land in that it restricts development of the Historic Property. City and Owner hereby further declare their understanding and intent that the benefit of such covenants, reservations and restrictions touch and concern the land by enhancing and maintaining the cultural and historic characteristics and significance of the Historic Property for the benefit of the public and Owner.
17. **NOTICE.** Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below, by personal delivery or United States mail, postage prepaid, addressed as follows:

City: Carmel-By-The-Sea  
 Community Planning & Building Department  
 Attn: Community Planning & Building Director  
 P.O. Box CC  
 Carmel-By-The-Sea, CA 93921

Owner:           Name  
                       Address  
                       City, State, Zip

Notice to successors in interest to either party shall be sent to the appropriate address. In the case of future Owner(s) of the Historic Property, notice shall be sent to the address on file with the county property tax office in power at the time.

18. **RECORDATION.** No later than twenty (20) days after the parties execute and enter into this Agreement, the City shall cause this Agreement to be recorded in the Office of the County Recorder of the County of Monterey. From and after the time of the recordation, this Agreement shall impart a notice thereof to all persons as is afforded under state law.
19. **STATE LAW.** The Owner or agent of Owner shall provide written notice of this Agreement to the State Office of Historic Preservation within six (6) months of the date of this Agreement.
20. **GOVERNING LAW; VENUE.** This Agreement shall be constructed and governed in accordance with the laws of the State of California. Should either party to this agreement bring legal action against the other, the case shall be handled in Monterey County, California and the party prevailing in such action shall be entitled to a reasonable attorney fee which shall be fixed by the judge hearing the case and such fee shall be included in the judgment together with all costs.
21. **AMENDMENTS.** This agreement may be amended in whole or in part, only by a written-recorded instrument executed by the parties hereto.
22. **DESTRUCTION OF PROPERTY; EMINENT DOMAIN; CANCELLATION.** If the Historic Property is destroyed by earthquake, fire, flood, or other natural disaster such that in the opinion of the City Building Official more than sixty percent (60%) of the original fabric of the structure must be preplaced, this Agreement shall be cancelled because the historic value of the structure will have been destroyed. If the Historic Property is acquired in whole or in part by eminent domain or other acquisition by any entity authorized to exercise the power of eminent domain, and the acquisition is determined by the City Council to frustrate the purpose of this Agreement, this Agreement shall be cancelled. No cancellation fee pursuant to Government Code Section 50286 shall be imposed if the Agreement is cancelled pursuant to this paragraph. Such Agreement shall be null and void for all purposes of determining the value of the property so acquired.
23. **INDEMNIFICATION.** Owner shall defend, indemnify, and hold harmless City and its elected officials, officers, agents and employees from any actual or alleged claims, demands, causes of action, liability, loss, damage, or injury to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any

federal, state or local government agency, arising out of or incident to the direct or indirect use, operation, or maintenance of the Historic Property by Owner or any contractor, subcontractor, employee, agent, lessee, licensee, invitee, or any other person; (ii) Owner's activities in connection with the Historic Property; and (iii) any restriction on the use of development of the Historic Property, from application or enforcement of the City's Municipal Code, or from the enforcement of this Agreement. This indemnification includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorneys' fees, and related costs or expenses, and the reimbursement of the City, its elected officials, employees, and/or agents for all legal expenses and costs incurred by each of them. Owner's obligation to indemnify shall survive the termination, cancellation, or expiration of this Agreement and shall not be restricted to insurance proceeds, if any, received by City, its elected officials, employees, or agents.

- 24. SEVERABILITY.** In the event that any of the provisions of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby.

**IN WITNESS THEREOF,** the City and Owners have executed this Agreement on the day and year written above.

**CITY OF CARMEL-BY-THE-SEA:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Name: Richard L. Rerig ("Chip")

Title: City Administrator

**PROPERTY OWNER(S):**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Name:

Title: Property Owner

By: \_\_\_\_\_

Date: \_\_\_\_\_

Name:

Title: Property Owner

EXHIBIT A  
LEGAL DESCRIPTION

EXHIBIT B  
DPR 523A FORM

EXHIBIT C  
REHABILITATION/RESTORATION AND MAINTENANCE PLAN

<b>City/County</b>	<b>Annual Limit on the Number of Contracts</b>	<b>Limits on Assessed Valuation</b>	<b>Limits on Land Use Type</b>	<b>Limits on Annual Tax Revenue Loss</b>
Beverly Hills	-	\$8 million for single-family residential \$10 million for multi-family rental \$7.5 million for commercial	-	\$500,000 to City \$400,000 to Schools
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Coronado	-	-	-	50% tax reduction limit for individual properties
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Monterey County	-	\$3 million for residential \$5 million for commercial	-	-
Pasadena	26	\$2 million for residential No cap on commercial	-	-
Riverside	10	-	-	-
Salinas	-	-	-	\$100,000
San Francisco	-	\$3 million for residential \$5 million for commercial	-	-
San Luis Obispo	10	-	-	-
Santa Barbara	-	\$2.5 million for single-family; \$3 million for multi-family or commercial	-	\$260,000
Santa Clara	10	-	-	-
Sierra Madre	3	-	-	-
Sunnyvale	3	-	-	-

STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION  
PROPERTY AND SPECIAL TAXES DEPARTMENT  
450 N STREET, SACRAMENTO, CALIFORNIA  
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0064  
916 445-4982 • FAX 916 323-8765  
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June 2, 2005

No. 2005/035

TO COUNTY ASSESSORS AND INTERESTED PARTIES:

**NOTICE OF BOARD ACTION****GUIDELINES FOR THE ASSESSMENT OF  
ENFORCEABLY RESTRICTED HISTORICAL PROPERTY**

On May 25, 2005, the Board of Equalization approved the following guidelines pertaining to the assessment of enforceably restricted historical property. These guidelines supersede Letter To Assessors No. 77/174 (dated December 19, 1977).

On June 8, 1976, the voters of California approved Proposition 7 which amended section 8 of article XIII of the California Constitution. This amendment requires that enforceably restricted historical property be valued on a basis that is consistent with its restrictions and uses. Sections 439 through 439.4 were added to the Revenue and Taxation Code to implement Proposition 7. These statutes, in particular section 439.2, prohibit a valuation of enforceably restricted historical property based on sales data and instead require that such property be valued by a prescribed income capitalization method.

Staff drafted these guidelines in consultation with interested parties and, after discussions, no issues remained unresolved. The guidelines discuss the enforceably restricted historical property requirements, the income to be capitalized, the capitalization rate, the effect of Proposition 13 upon enforceably restricted historical properties that undergo change in ownership or new construction, and the valuation of property under notice of nonrenewal.

The guidelines are posted on the Board's website at [www.boe.ca.gov/proptaxes/guideproc.htm](http://www.boe.ca.gov/proptaxes/guideproc.htm). We hope this information proves useful and promotes uniformity of assessment for these properties. If you have any questions, please contact our Real Property Technical Services Unit at 916-445-4982.

Sincerely,

/s/ David J. Gau

David J. Gau  
Deputy Director  
Property and Special Taxes Department

DJG:grs  
Enclosure

# **GUIDELINES FOR THE ASSESSMENT OF ENFORCEABLY RESTRICTED HISTORICAL PROPERTY**

## **HISTORY**

Effective March 7, 1973, Chapter 1442 of the Statutes of 1972 (also known as the Mills Act) added sections 50280 through 50289 to the Government Code to allow an owner of qualified historical property to enter into a preservation contract with local government. When property is placed under such a contract, the owner agrees to restore the property if necessary, maintain its historic character, and use it in a manner compatible with its historic characteristics.

Prior to the passage of Proposition 7 in 1976, these agreements (i.e., Mills Act contracts) constituted enforceable restrictions on the use of land within the meaning of Revenue and Taxation Code section 402.1<sup>1</sup> (Property Tax Rule 60, repealed January 10, 1978). However, Proposition 7 added the second paragraph to section 8 of article XIII of the California Constitution:

To promote the preservation of property of historical significance, the Legislature may define such property and shall provide that when it is enforceably restricted, in a manner specified by the Legislature, it shall be valued for property tax purposes only on a basis that is consistent with its restrictions and uses.

To implement Proposition 7, Chapter 1040 of the Statutes of 1977 (Senate Bill 380) added sections 439 through 439.4 to the Revenue and Taxation Code. These statutes, in particular section 439.2, prohibit a valuation of enforceably restricted historical property based on sales data and instead require that such property be valued by a prescribed income capitalization method.

## **ENFORCEABLY RESTRICTED HISTORICAL PROPERTY**

Under section 439, historical property is "enforceably restricted" if it meets the definition of a "qualified historical property" as defined in Government Code section 50280.1 and is subject to a historical property contract executed pursuant to Government Code section 50280 and following. A qualified historical property includes qualified historical improvements and the land on which the improvements are situated, as specified in the historical property contract. If the contract does not specify the land to be included, the qualified historical property includes only a land area of reasonable size to situate the improvements.

A qualified historical property is privately-owned property that is not exempt from property taxation and that also meets either of the following criteria:

- The property is listed in the National Register of Historic Places, or is located within a registered historic district; or

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<sup>1</sup> Unless otherwise noted, all statutory references are to the Revenue and Taxation Code.



- The property is listed in any official state, county, city, or city and county official register of historical or architecturally significant sites, places or landmarks, including the California Register of Historical Resources, California Historical Landmarks, State Points of Historical Interest, local landmarks, and local survey listings of historical properties.

The historical property contract must have a minimum term of ten years, and, as applicable, must contain certain other elements, including the following:

- A provision relating to the preservation of the qualified historical property and, when necessary, the restoration and rehabilitation of the property in conformance with state historic preservation guidelines;
- A requirement for the periodic examination of the property to ensure compliance with the agreement;
- A requirement that the historical property agreement be binding upon successor owners of the qualified historical property; and
- A provision for an automatic one-year extension of the contract, with an additional year added to the initial contract term on each anniversary of the contract, unless either party provides notice of nonrenewal. If a notice of nonrenewal is given, the contract runs for its remaining term.

Once a contract is signed, accepted, and recorded, the property subject to the contract must be assessed under section 439.2 on the ensuing lien date. For example, if a contract were recorded in August 2004, the property should have been valued pursuant to section 439.2 for lien date January 1, 2005.

Local authorities may cancel a historical property agreement for breach of contract or failure to protect the historical property. Alternatively, the local entity may take legal action to enforce the contract.

## **ASSESSMENT**

The assessment of an enforceably restricted historical property involves the following aspects: (1) valuing the restricted historical property; (2) properly applying certain assessment provisions relating to article XIII A of the California Constitution (Prop 13); (3) valuing the restricted historical property following a notice of nonrenewal; and (4) valuing the restricted historical property following cancellation of the contract.

### **Valuing the Restricted Historical Property**

Section 439.2 prohibits the assessor from using sales data relating to similar properties, whether or not enforceably restricted, to value an enforceably restricted historical property. Instead, the assessor must annually value a restricted historical property using an income approach that

follows the specific provisions of section 439.2. These provisions explicitly address (1) the determination of the income to be capitalized, (2) the development of the capitalization rate, (3) the capitalization technique to be used, and (4) the determination of the restricted historical property's taxable value on each lien date.

### **Income to be Capitalized**

As provided in section 439.2(a), the income to be capitalized when valuing a restricted historical property is the property's fair rent less allowed expenditures, or allowed expenses. In general, section 439.2(a) follows Property Tax Rule 8(c), with fair rent in section 439.2 corresponding to gross return in Rule 8(c); allowed expenditures, or allowed expenses, in section 439.2 corresponding to gross outgo in Rule 8(c); and the income to be capitalized in section 439.2 corresponding to net return in Rule 8(c). In addition, for the purposes here, "gross income" is synonymous with fair rent, and "net operating income" is synonymous with the income to be capitalized.

The parties to a historical property agreement may stipulate a minimum annual income to be capitalized, in which case the income to be capitalized may not be less than the stipulated amount.

**Fair rent, or gross income.** The gross income of a restricted historical property is the fair rent for the property considering the restrictions on the property's use. When establishing the fair rent for a restricted historical property, the appraiser should consider the actual rent and typical rents in the area for similar properties in similar use, where the owner pays the property taxes.

The actual rent received by the owner of the subject restricted historical property is relevant to an estimate of fair market rent only if the actual rent is the same rent that would be expected if the existing lease were renegotiated in light of current market conditions, including the subject property's enforceable restrictions on use. With respect to rents from similar, or comparable, properties, if such rents are from properties outside the geographic or market area of the subject property, or from properties that are otherwise dissimilar to the subject property, the rents may not be relevant to an estimate of the subject property's fair rent.

Comparable rental data for single-family residences can be obtained from real estate brokers, rental agencies, and newspaper ads. Many assessors offices maintain rental data for commercial properties, and this data may be helpful when establishing the fair rent for restricted historical property when the contract allows a commercial use. Rental data for commercial property also can be obtained from commercial real estate brokers. For the purpose of estimating anticipated market fair rent and expenditures for use in calculating the subject property's value, rental and expense data for existing restricted historical properties, including the subject historical property, can be obtained through an annual questionnaire sent to property owners.

If sufficient rental data are not available, or such data are unreliable, the appraiser must impute a gross income for the subject restricted historical property. The imputed income should be based on what an informed investor would reasonably expect the property to yield under prudent management, given the provisions under which the property is enforceably restricted.

**Allowed expenditures.** Section 439.2(a)(3) defines allowed expenditures, or allowed expenses, as expenses necessary for the maintenance of the property's income. Allowed expenses are the same as those permitted in Property Tax Rule 8(c).

Typical expenses include the cost of utilities, maintenance and repair, insurance and property management. Allowed expenses also may include amounts owing for special assessments and special taxes. Expenses related to debt service, general property taxes, and depreciation should not be deducted.

In general, to arrive at the net income to be capitalized, allowed expenses are subtracted from the estimated rental income. However, in order to properly process the income, the appraiser must be aware of the structure of the lease with regard to how expenses are shared between the landlord-owner and the tenant.

The proper perspective from which to view the processing of income and expenses is that of the landlord-owner. The objective is to estimate the net income to the landlord-owner—this is the amount that should be capitalized—and the correct question to ask is the following: What, if any, allowed expenses must the landlord-owner pay out of the rental income that he or she receives?

In a gross lease, almost all of the allowed expenses must be paid out of the gross rent and, therefore, must be subtracted from the gross rent to arrive at the net income to be capitalized. In a net lease, relatively few allowed expenses must be paid by the landlord-owner out of the net rent (because the tenant pays most expenses) and only these expenses should be subtracted from the net rent to arrive at the net income to be capitalized. Frequently, there is a hybrid arrangement—some expenses are paid by the landlord-owner and some by the tenant. How expenses are shared often depends upon the property type together with local conventions.

**Income to be capitalized, or net operating income.** The income to be capitalized, or net operating income, is simply the fair rent, or gross income, described above less the allowed expenditures described above.

### **Capitalization Rate**

The method of developing the capitalization rate to be used when valuing restricted historical property is prescribed by statute; a capitalization rate derived from sales data or the band of investment is not permitted.

Section 439.2 prescribes two types of capitalization rates for restricted historical property: (1) a capitalization rate to be used when valuing restricted historical property that is an owner-occupied single-family residence and (2) a capitalization rate to be used when valuing all other restricted historical property. Both types of capitalization rates include components for interest (i.e., yield), risk, property taxes, and amortization of improvements; in fact, the two rates are identical except for the amount of the risk component. The capitalization rate contains the following components:

- An interest component annually determined by the State Board of Equalization and based on the effective rate on conventional mortgages as determined by the Federal Housing Finance Board. The interest component is announced annually, in a Letter To Assessors, by October 1 of the preceding assessment year.
- A historical property risk component determined by property type. For owner-occupied single-family residences, the rate is 4 percent; for all other types of restricted historical property, the rate is 2 percent.
- An amortization component for improvements defined as a percentage equal to the reciprocal of the remaining life of the improvements (e.g., if the remaining economic life of the improvements were 20 years, the amortization component would be 5 percent). Since the amortization component applies only to improvements, not to land, which is a non-depreciating asset, it is necessary to adjust the amortization component described in the statute. We recommend the following method of adjustment:
  1. Based upon market data, estimate the percentage of total property value attributable to improvements.
  2. Multiply this percentage by the amortization component described in the statute (i.e., by the reciprocal of the remaining life of the improvements). For example, if the remaining life of the improvements was 20 years, yielding a reciprocal percentage of 5 percent, and if 70 percent of the total property value was attributable to the improvements, the adjusted amortization factor would be 3.5 percent ( $0.05 \times 0.70 = 0.035$ ).
  3. Add the adjusted amortization component to the other capitalization rate components to arrive at the total capitalization rate.
- A property taxes component equal to the percentage of the estimated total tax rate applicable to the property for the assessment year multiplied by the assessment ratio. Typically, the property tax component includes the basic tax rate of 1 percent plus an additional ad valorem rate related to any bonded indebtedness pertaining to the tax rate area in which the property is located. Special district assessments and special taxes are not included in the property tax component. As noted above, they should be treated as allowed expenses.

### **Capitalization Technique**

The capitalization technique to be used when valuing a restricted historical property is prescribed by statute and is formulaic. Section 439.2(e) provides that the restricted value shall be the income to be capitalized, or net operating income, developed as prescribed by statute, divided by one of the two types of capitalization rates prescribed by statute. In other words, the restricted value is the simple quotient of the prescribed income to be capitalized and the prescribed capitalization rate.

## **Determination of Taxable Value on Each Lien Date**

Section 439.2(d) provides that a historical property's restricted value may not be enrolled if it exceeds either (1) the value of the subject property as determined under section 110 (i.e., current market value) or (2) the value of the subject property as determined under section 110.1 (i.e., factored base year value). In other words, section 439.2 states that the taxable value of a restricted historical property on each lien date shall be the lowest of its restricted value, current market value, or factored base year value. The factored base year value for an enforceably restricted historical property is the value that was established for the 1975 lien date<sup>2</sup> or as of the date of the most recent change in ownership, whichever is later, adjusted by the annual inflation factor.

## **Article XIII A (Prop 13) Considerations**

This section discusses how three important elements relating to implementation of article XIII A—change in ownership, new construction, and supplemental assessment—relate to the assessment of restricted historical property. Also discussed is the case in which only a portion of a property is subject to the historical property agreement—that is, the case in which a single property unit contains both restricted and unrestricted portions.

### **Change in Ownership**

When a property subject to a historical property contract undergoes a change in ownership, a new base year value should be established for the property as of the date of change in ownership, as provided in section 110.1. Typically, a restricted historical property's base year value will be greater than its restricted value determined under section 439.2 and hence will not be enrolled as the property's taxable value. However, the establishment of a new base year value enables the assessor to perform the three-way value comparison prescribed by section 439.2(d) and described above. The establishment of a base year value is also necessary in order to calculate the assessed values of historical property should the historical property agreement enter nonrenewal status.

### **New Construction**

Section IV of National Register Bulletin #15 defines a "building" as follows:

A building, such as a house, barn, church, hotel, or similar construction, is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.

Section IV further specifies that "[b]uildings eligible for the National Register must include all of their basic structural elements. Parts of buildings, such as interiors, facades, or wings, are not eligible independent of the rest of the existing building. The whole building must be considered,

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<sup>2</sup> Sections 110.1(d) and 405.5 do not apply to historical properties under contract as of lien date 1975 because the constitutional amendment which placed the valuation of historical property under article XIII rather than article XIII A had not yet been passed and, thus, was not in effect for the 1975 lien date.

and its significant features must be identified." Thus, eligibility for the National Register is determined by the extent to which the basic structural elements of an existing building are intact. In general, a newly constructed building would not be eligible because it is not an existing building with basic structural elements.<sup>3</sup>

Also, a newly constructed building is not a historic resource, and, thus, is not a qualified historical property within the meaning of Government Code section 50280.1. For example, a newly constructed detached garage (assuming it is not a reconstruction of a historical garage) clearly would not be eligible because it has no significance in American history or architecture, nor does it meet any of the other requisite criteria.

Bulletin 15, however, does list one type of newly constructed property that may be eligible for inclusion under the Mills Act. A reconstructed historic building is eligible for the National Register if the reconstruction is "accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived."

The historical property contract typically specifies the scope and type of any work to be performed on the historical improvements. Improvements existing as of the date of the contract would be subject to the provisions of section 439.2 unless specifically excluded by the contract. Any new construction made to the historical structure after the issuing date of the contract would not be subject to the provisions of section 439.2 unless specifically included in the contract or an amendment to the contract. Any questions regarding new construction to enforceably restricted historical structures should be directed to the counsel of the legislative body of the city, county, or city and county that contracted with the property owner.

Assuming that the newly constructed property is subject to the historical property contract, a base year value should be established for the newly constructed portion and this value added to the factored base year value of the existing restricted property.

In some cases, an existing historical property may include a portion that is restricted (i.e., subject to a historical property contract) and a portion that is unrestricted. In this case, separate factored base year values should be maintained for the restricted and unrestricted portions and the base year value of any newly constructed property added to the appropriate portion. The assessment treatment of this type of property is discussed further below.

### **Supplemental Assessment**

Although the assessor is required to establish a new base year value upon a change in ownership or completed new construction involving restricted historical property, such property is not subject to supplemental assessment. As provided in Revenue and Taxation Code section 75.14:

**Supplemental assessment; limitation.** A supplemental assessment pursuant to this chapter shall not be made for any property not subject to the assessment

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<sup>3</sup> National Register Bulletin 15, "How to Apply the National Register Criteria for Evaluation," U.S. Department of the Interior, National Park Service ([www.cr.nps.gov/nr/publications/](http://www.cr.nps.gov/nr/publications/)).

limitations of Article XIII A of the California Constitution. All property subject to the assessment limitations of Article XIII A of the California Constitution shall be subject to the provisions of this chapter, except as otherwise provided in this article.

As discussed above, the assessment of enforceably restricted historical property is subject to the provisions of article XIII, section 8 of the California Constitution, not article XIII A. Thus, section 75.14 precludes the assessor from enrolling supplemental assessments for enforceably restricted historical property.

Historical property not yet under contract that undergoes a change in ownership or new construction is subject to supplemental assessment, even if the property owner later executes a historical property contract in the same fiscal year. Also, any new construction involving a historical property that does not come under the existing historical property contract (e.g., a detached garage added to a restricted historical property) would be subject to supplemental assessment.

### **When a Property Contains Both Restricted and Unrestricted Portions**

When only a portion of a property that would normally be considered a single appraisal unit is restricted by a historical property contract, the assessed value should be determined by making a comparison of three values, determined as follows. First, the portion under contract should be valued using the capitalization method prescribed by section 439.2. Added to this figure should be the lower of the unrestricted portion's fair market value or factored base year value. The resulting sum should be compared to both the fair market value and the factored base year value of the entire property (i.e., both restricted and unrestricted portions) and the lowest of the three figures should be enrolled.

### **Valuing Property Under Notice of Nonrenewal**

As provided in Government Code section 50282, either the owner of a restricted historical property or the local government entity may serve notice that it does not intend to renew the historical property contract. If such notice is not given, another year is automatically added to the term of the initial contract, thus creating a "rolling" contract term that is always equal to the initial contract term.

Section 439.3 prescribes the valuation method for a restricted historical property in nonrenewal status; this valuation method applies until the end of the restricted period (i.e., until the existing contract expires). In essence, the method results in a restricted value that gradually approaches the historical property's factored base year value as the remaining term under the contract decreases. For a property in nonrenewal status, the assessor must annually value the property as follows:

1. Determine the full cash value (i.e., factored base year value) of the property in accordance with section 110.1. (Alternatively, if the property will not be subject to section 110.1 when the historical property agreement expires, determine its fair market value in accordance with

section 110, as if the property were free of the agreement's restrictions; or, if the property will be subject to another type of restricted value standard when the historical property agreement expires, determine the property's value as if it were subject to the new restrictions.)

2. Determine the restricted value of the property by the capitalization of income method provided in section 439.2.
3. Subtract the restricted value determined in Step 2 from the factored base year (or other) value determined in Step 1.
4. Using the amount for the interest rate component (section 439.2(b)(1)) announced by the Board, discount the amount obtained in Step 3 for the number of years remaining until the termination of the contract.
5. Determine the restricted value of the property in nonrenewal status by adding the value determined in Step 2 to the amount obtained in Step 4.

The historical property's restricted value in nonrenewal status—that is, the value determined above, in accordance with section 439.3—should be compared with the historical property's factor base year and current market values, and the lowest of these three values should be enrolled as the property's taxable value.

### **Cancellation of Contract**

The government entity party to a historical property contract may cancel the contract, after notice and a public hearing, if it determines that either the owner has breached the agreement or the property has deteriorated to the extent that it no longer meets the standards of a historical property. If the contract is cancelled, the property owner must pay a cancellation fee equal to 12½ percent of the property's current fair market value as though free of the contractual restriction, such value to be determined by the county assessor. After a contract is cancelled, the lower of the property's factored base year value or current market value should be enrolled for the ensuing lien date.

### **SUMMARY**

The key points contained in these guidelines can be summarized as follows:

1. An owner of qualified historical property may enter into a preservation contract with local government. When property is placed under such a contract, the owner agrees to restore the property if necessary, maintain its historic character, and use it in a manner compatible with its historic characteristics. Such property receives the special valuation treatment prescribed under Revenue and Taxation Code sections 439 through 439.4.
2. Enforceably restricted historical property is to be annually valued by the income capitalization method prescribed in section 439.2, which contains specific instructions with



regard to the income to be capitalized, the capitalization rate, and the capitalization technique to be used. The restricted value must be compared to the property's current market value and factored base year value, with the lowest of these three values enrolled as the property's taxable value.

3. When assessing restricted historical property, the appraiser should consider how three important elements of article XIII A—change in ownership, new construction, and supplemental assessment—relate to the assessment. The appraiser should consider how a property should be assessed when only a portion of it is subject to a historical property agreement.
4. Restricted historical property under a notice of nonrenewal should be valued in accordance with section 439.3.
5. The government entity party to a historical property contract may cancel the contract. The cancellation fee is 12½ percent of the property's current fair market value as though free of the contractual restriction, with such value to be determined by the local assessor.

Additional information about Mills Act contracts may be obtained from the state Office of Historic Preservation, either by telephone at 916-653-6624, or from their website ([www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov)).

(Note: Please see the assessment examples following.)

**EXAMPLE 1 (OWNER-OCCUPIED SINGLE-FAMILY RESIDENCE)****Subject Restricted Historical Property**

Restored, 105-year-old, Victorian single-family residence. Excellent condition. Under Mills Act contract since 1985 and not in nonrenewal status. Owner-occupied.

**Determination of Restricted Value (current lien date)**

Gross income (Fair rent)		
\$1,500 per month x 12 months =		\$18,000
Less: Anticipated vacancy and collection loss		
\$18,000 x 5%		<u>- 900</u>
Effective gross income		\$17,100
Less: Anticipated operating expenses		
Grounds maintenance	\$600	
Fire insurance	400	
Management Fee	360	
Water and garbage	240	
Building maintenance	+ 500	<u>- 2,100</u>
Net Operating Income		\$15,000

**Restricted Capitalization Rate**

## Rate Components:

Interest rate	.080	
Risk (owner-occupied SFR)	.040	
Property tax (ad valorem)	.015	
Amortization (50-year remaining life; improvements constitute 70% of total property market value; $0.02 \times 0.70 = 0.014$ )	+ .014	<u>.149</u>

Restricted Value	
\$15,000 ÷ .149	= <u>\$100,671</u>

**Taxable Value—Three-Way Value Comparison**

Restricted value	\$100,671
Factored base year value (based on prior change in ownership)	\$357,000
Current market value (based on comparable sales)	\$450,000

The lowest of the three possible values is the restricted value. Thus, the net taxable value would be \$93,671 (\$100,671 restricted value less the homeowners' exemption of \$7,000).

Note 1: If this property had been a non-owner-occupied SFR, the only difference in the determination of the restricted value would have been the use of a risk rate component of 2% rather than 4% in the capitalization rate.

Note 2: In this and the following examples, the gross income, or fair rent, is presented on a gross rent basis, that is, under the assumption that the landlord-owner pays all operating expenses out of the gross income.

**EXAMPLE 2 (OFFICE USE)****Subject Restricted Historical Property**

Multi-tenant, restored historical office building in a downtown commercial district. Under Mills Act contract since 1985 and not in nonrenewal status.

**Determination of Restricted Value (current lien date)**

Gross Income (Fair rent):

Offices	140,000 sf @ \$1.75/sf = <u>\$245,000</u>	
	x 12 months	= \$2,940,000

Less: Anticipated vacancy and collection loss

\$2,940,000 x 5%	<u>- 147,000</u>
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Effective gross income	\$2,793,000
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Less: Anticipated operating expenses

Management	\$290,000	
Maintenance	95,000	
Insurance	75,000	
Utilities	360,000	
Janitorial	+ 140,000	- 960,000

Net Operating Income	\$1,833,000
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Restricted Capitalization Rate

Rate Components:

Interest component	.08
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Risk	.02
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Property tax (ad valorem)	.011
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Amortization (50-year remaining life; improvements  
constitute 75% of total property market value

0.02 x 0.75 = 0.015)	+ .015	<u>.126</u>
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Restricted Value

(\$1,833,000 ÷ .126)	= \$14,547,619
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**Taxable Value—Three-Way Value Comparison**

Restricted value	\$14,547,619
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Factored base year value (based on prior change in ownership)	\$18,191,077
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Current market value (based on comparable sales)	\$21,000,000
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The lowest of the three possible values is the restricted value. Thus, the taxable value would be \$14,547,619

**EXAMPLE 3 (MIXED USE—RESIDENTIAL AND OFFICE)****Subject Restricted Historical Property**

Two-story, restored historical property in a downtown district. Upper level is residential unit occupied by owner. Lower level contains three office spaces subject to short-term rental agreements. The income stream for the upstairs unit must be calculated separately from the downstairs unit because the risk rate is different for the owner-occupied unit.

**Determination of Restricted Value**

Separate restricted values for the upper-level residence and the lower-level office space must be determined, because the risk components are different for the two types of use. The total restricted value is sum of these two values.

**Upper-Level Unit**

Gross income (Fair rent) based upon comparable rent data

\$975 per month x 12 months = \$11,700

Less: Anticipated vacancy and collection loss

\$11,700 x 5% - 585

Effective gross income \$11,115

Less: Anticipated operating expenses

Grounds maintenance \$300

Fire insurance 200

Management Fee 180

Water and garbage 120

Building maintenance + 250 - 1,050

Upper-Level Net Operating Income \$10,065

Restricted Capitalization Rate (owner-occupied SFR)

Rate components:

Interest rate .080

Risk .040

Property tax .010

Amortization ( 50-year remaining life; improvements

constitute 70% of total property market value;

0.02 x 0.70 = 0.014) + .014 .144

Upper-level Restricted Value (\$10,065 ÷ .144) = \$69,895

**Lower-Level Offices**

Gross income (Fair rent)

1000 sf @ \$1.60/sf = \$1,600 x 12 months \$19,200

Less: Anticipated vacancy and collection loss

\$19,200 x 5% - 960

Effective gross income \$18,240

Less: Anticipated operating expenses		
Grounds maintenance	\$300	
Fire insurance	200	
Management Fee	180	
Water and garbage	120	
Building maintenance	+ 250	- 1,050
Lower-Level Net Operating Income		\$17,190

Restricted Capitalization Rate		
Rate components:		
Interest component	.080	
Risk	.020	
Property tax	.010	
Amortization (50-year remaining life; improvements constitute 70% of total property market value; $0.02 \times 0.70 = 0.014$ )	+ .014	.124
Lower Level Restricted Value ( $\$17,190 \div .124$ )		\$138,629
Add: Upper Level Restricted Value		+ \$69,895
Total Restricted Value		\$208,524

**Taxable Value—Three-Way Value Comparison**

Restricted Value	\$208,524
Factored base year value (based upon prior change in ownership)	\$364,140
Current market value (based upon comparable sales data)	\$400,000

The lowest of the three possible values is the restricted value. Thus, the net taxable value would be \$201,524 (\$208,524 less the homeowners' exemption of \$7,000).

**EXAMPLE 4 (MIXED VALUATION—PART RESTRICTED AND PART UNRESTRICTED)****Description of Subject Property (Comprises Both Restricted and Unrestricted Portions)**

The subject property is a 10-acre parcel with a farmhouse and barn situated on 2 acres; the remaining 8 acres are farmland. The farmhouse and barn are used as an owner-occupied single-family residence; this portion of the property is restricted under a Mills Act contract. The remaining 8 acres of farmland are unrestricted.

**Value of Restricted Portion (current lien date)**

Gross income (Fair rent) for farmhouse and barn		
\$2,000 per month x 12 months =		\$24,000
Less: Anticipated vacancy and collection loss		
\$24,000 x 5%		<u>- 1,200</u>
Effective gross income		\$22,800
Less: Anticipated operating expenses		
Grounds maintenance	\$600	
Fire insurance	400	
Management Fee	360	
Water and garbage	240	
Building maintenance	+ 500	<u>- 2,100</u>
Net Operating Income		= \$20,700

**Restricted Capitalization Rate**

Rate components:		
Interest component	.080	
Risk (owner-occupied)	.040	
Property tax (ad valorem)	.010	
Amortization (50-year remaining life; improvements constitute 70% of total property market value		
0.02 x 0.70 = 0.014)	+ .014	<u>.144</u>
Restricted Value (\$20,700 ÷ .144)		= \$143,750

**Taxable Value—Three-Way Comparison**

Total Property Restricted Value (sum of restricted value above and lower of FBYV or current market value of unrestricted portion)

Restricted Value (portion under contract)	\$143,750
FBYV (unrestricted portion)	+ <u>\$102,000</u>
Restricted Value (total property)	\$245,750

Factored base year values (based upon a prior change in ownership of the entire property, allocated between restricted and unrestricted portions):

Farmhouse, barn, and 2 acres (restricted portion)	\$204,000
8 acres (unrestricted portion)	+ <u>\$102,000</u>
Total FBYV (total property)	\$306,000

Current market values (based upon comparable sales data):

Farmhouse, barn, and 2 acres (restricted portion)	\$230,000
8 acres (unrestricted portion)	+ <u>\$120,000</u>
Total Current Market Value (total property)	\$350,000

The lowest of the three values is the Restricted Value (total property), \$245,750. Thus, the net taxable value would be \$238,750 (\$245,750 less \$7,000 homeowners' exemption).

**EXAMPLE 5 (PROPERTY IN NONRENEWAL STATUS)****Description of Subject Restricted Historical Property**

The same property as in Example 2, except the property owner has served notice of renewal. The Mills Act contract covering the property was originally executed in September 1995, and the owner served notice of nonrenewal in June 2004. Value the property for the 2005 lien date, reflecting its nonrenewal status. Assume that the property's restricted, current market, and factored base year values from Example 2, provided below, also refer to January 1, 2005.

Restricted value	\$14,547,619
Current market value	\$21,000,000
Factored base year value	\$18,191,077

**Restricted Value in Nonrenewal Status**

Value as if unrestricted (factored base year value)	\$18,191,077
Restricted value	<u>- 14,547,619</u>
Difference	\$ 3,643,458
Present worth of difference	
PW1 @ 6.00 %, 9 years (interest component for lien date 2005)	<u>x .591898</u>
	= \$ 2,156,555
Plus restricted value	<u>+ \$14,547,619</u>
Restricted value in nonrenewal status—lien date January 1, 2005	\$16,704,174

**Taxable Value**

Since the restricted value in nonrenewal status, \$16,704,174, is less than either the property's current market value or its factored base year value, this is the taxable value.



Pre and Post Mills Act Contract Property Taxes by Property

APN	Property Owner	Historic Property Name	Mills Act Contract Effective Date	Taxes (2023-2024)	Taxes (2022-23)	Taxes (2021-22)	Taxes (2020-21)	Taxes (2019-20)	Taxes (2018-19)	Taxes (2017-18)	Taxes (2016-17)	% Change from last year of pre-contract to first year of post-contract	\$ Change from last year of pre-contract to first year of post-contract	Sale Date
010-191-005	Esperanza Carmel Commercial, LLC	Sundial Lodge (now, L'Auberge)	1/1/2023	\$146,113.80	\$143,248.84	\$145,254.04	\$72,522.94	\$75,229.84	\$72,775.50	\$70,477.20	\$69,511.30	N/A	N/A	1/10/2020
010-193-010	Strom & Miller	Enoch A. Lewis House	1/1/2023	\$4,640.00	\$18,205.36	\$17,848.40	\$17,665.40	\$17,319.02	\$16,979.46	\$16,646.52	\$16,320.14	-75%	(\$13,565.36)	12/17/2015
010-253-018	Ludwick	Frederick Ten Winkel House	1/1/2023	\$3,850.00	\$777.08	\$691.88	\$684.08	\$669.30	\$654.82	\$640.62	\$626.70	395%	\$3,072.92	12/3/2021
010-055-021	Prentiss-Mermer	Marion Daniels Shand House	1/1/2023	\$3,520.00	\$21,950.00	\$9,371.42	\$9,275.34	\$9,093.48	\$8,915.18	\$8,740.38	\$8,569.02	-84%	(\$18,430.00)	12/15/2021
010-286-015	Esperanza Carmel Commercial, LLC	Colonial Terrace Inn (now, Carmel Beach	1/1/2023	\$61,108.44	\$127,192.68	\$124,698.72	\$123,420.10	\$78,983.00	\$79,109.50	\$79,207.40	\$111,932.36	-52%	(\$66,084.24)	12/29/2019
010-232-030	David DiGirolamo & Diana Morshead	Albert Henry Hill House	1/1/2020	\$5,120.00	\$6,517.80	\$6,390.00	\$5,840.00	\$16,268.58	\$15,949.60	\$15,636.88	\$15,330.28	-64%	(\$10,428.58)	12/10/2015
010-039-007	Sandra J. Markowski	Doll's House	1/1/2018	\$3,040.00	\$4,240.00	\$3,930.00	\$2,560.00	\$2,400.00	\$2,400.00	\$5,673.23	\$5,562.02	-58%	(\$3,273.23)	4/24/2017
010-154-005	Scott and Robbin Loneran	Lloyd C. Miller Cottage	1/1/2017	\$3,200.00	\$5,140.00	\$5,020.00	\$2,335.80	\$2,252.44	\$2,435.00	\$3,302.40	\$14,450.00	-77%	(\$11,147.60)	8/10/2015
010-115-006	Ken Rheume	Francis Whitaker Cottage	1/1/2017	\$2,400.00	\$3,550.00	\$3,460.00	\$2,631.60	\$2,335.86	\$3,075.00	\$3,926.24	\$8,658.02	-55%	(\$4,731.78)	3/4/2016
010-165-044 / 010-165-015	Brad Slingerlend and Anna Speers	Las Abuelas	1/1/2017	\$6,800.00	\$8,370.00	\$7,500.00	\$6,058.80	N/A	\$6,079.20	\$33,048.00	\$1,565.00	-82%	(\$26,968.80)	APN 010-165-044 sold 08/30/2023. PRIOR APN 010-165-015 sold 05/12/016
010-164-001	The Sharon B. Holtkamp and Kenneth	Ross E. Bonham House	1/1/2017	\$4,800.00	\$6,250.00	\$5,480.00	\$2,740.00	\$2,502.72	\$3,400.00	\$4,318.21	\$796.72	-21%	(\$918.21)	2/10/2022
010-041-001	Charles Whittington	Florence Lockwood Studio/House	1/1/2015	\$2,650.00	\$4,394.00	\$4,340.00	\$1,690.00	\$1,401.52	\$2,028.78	\$1,989.00	\$1,950.00	N/A	N/A	4/23/2013
009-164-008	Kim & Roy Sheingart	Kathryn Waite House	1/1/2014	\$3,840.00	\$5,090.00	\$4,860.00	\$1,690.00	\$1,226.32	\$1,368.12	\$1,341.30	\$1,315.00	N/A	N/A	12/22/1992
010-287-006	Buff LaGrange	John Bathen House	1/1/2013	\$4,210.00	\$5,760.00	\$5,620.00	\$2,220.00	\$1,431.64	\$1,719.48	\$1,684.40	\$1,650.00	N/A	N/A	12/3/2003
010-108-012	Stephanie Ager Kirz	Curtain Call	1/1/2012	\$4,830.00	\$6,550.00	\$4,860.00	\$1,650.00	\$1,251.36	\$3,510.80	\$3,441.98	\$3,374.50	N/A	N/A	11/19/2010

- Property Tax PRE Mills Act Contract

- Property Tax POST Mills Act Contract

- NOTE: This property sold the the year before a Mills Act Contract was went into effect.

Attachment 6

CITY OF CARMEL-BY-THE-SEA APPROVED MILLS ACT CONTRACTS											TOTAL PROPERTY TAX COLLECTED			FULL DISTRIBUTION OF 1% PROPERTY TAX REVENUE 2022-23 TAX YEAR WITH MILLS ACT ("Pre") vs. LAST TAX YEAR WITHOUT MILLS ACT ("Post")																								
	APN	Property Owner	Historic Property Name	Address	Document #	Date of Council Agreement	Date of Recording	Effective Date	Contract Term	Restoration/Maintenance Estimate (over 10 yrs)	Tax Rate Pre Mills Act	Tax Rate Post Mills Act	Tax Rate Post Mills Act	Schools Pre Mills Act	Schools Post Mills Act	Schools Post Mills Act	City of Carmel by the Sea Pre Mills Act	City of Carmel by the Sea Post Mills Act	City of Carmel by the Sea Post Mills Act	Libraries Pre Mills Act	Libraries Post Mills Act	Libraries Post Mills Act	Water Resources Pre Mills Act	Water Resources Post Mills Act	Water Resources Post Mills Act	Successor Agencies Pre Mills Act	Successor Agencies Post Mills Act	Successor Agencies Post Mills Act	Special Districts Pre Mills Act	Special Districts Post Mills Act	Special Districts Post Mills Act	Monterey County Pre Mills Act	Monterey County Post Mills Act	Monterey County Post Mills Act				
				Block and Lot							1%	1%	Difference	60%	60%	Difference	6%	6%	Difference	1%	1%	Difference	1%	1%	Difference	9%	9%	Difference	8%	8%	Difference	15%	15%	Difference				
1.*	010-191-005	Esperanza Carmel Commercial, LLC	Sundial Lodge	Monte Verde 2 NE of 7th Block 74, Lots 18, 20 L'Auberger Carmel	2023015553	4/4/2023	5/23/2023	1/1/2023	1/1/2043	\$850,000	\$0	\$0	\$0	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00				
2.	010-193-010	Strom & Miller	Enoch A. Lewis House	Monte Verde 2 NE of 9 <sup>th</sup> Block 94, Lot 18	2022050874	11/3/2022	12/2/2022	1/1/2023	1/1/2043	\$182,450	\$18,205	\$4,640	(\$13,565)	\$ 10,923.22	\$ 2,784.00	(8,139.22)	\$ 1,092.32	\$ 278.40	(813.92)	\$ 182.05	\$ 46.40	(135.65)	\$ 182.05	\$ 46.40	(135.65)	\$ 1,638.48	\$ 417.60	(1,220.88)	\$ 1,456.43	\$ 371.20	(1,085.23)	\$ 2,730.80	\$ 696.00	(2,034.80)				
3.	010-253-018	Ludwick	Frederick Ten Winkel House	SEC San Antonio & 4th Block: HH, Lot 28	2022050876	11/16/2022	12/2/2022	1/1/2023	1/1/2043	\$485,000	\$777	\$3,850	\$3,073	\$ 466.25	\$ 2,310.00	1,843.75	\$ 46.62	\$ 231.00	184.38	\$ 7.77	\$ 38.50	30.73	\$ 7.77	\$ 38.50	30.73	\$ 69.94	\$ 346.50	276.56	\$ 62.17	\$ 308.00	245.83	\$ 116.56	\$ 577.50	460.94				
4.	010-055-021	Prentiss-Mermer	Marion Daniels Shand House	Vizcaino 12 SW of Mountain View Block: 102, Lot 12 & 13	2022050875	11/3/2022	12/2/2022	1/1/2023	1/1/2043	\$526,000	\$21,950	\$3,520	(\$18,430)	\$ 13,170.00	\$ 2,112.00	(11,058.00)	\$ 1,317.00	\$ 211.20	(1,105.80)	\$ 219.50	\$ 35.20	(184.30)	\$ 219.50	\$ 35.20	(184.30)	\$ 1,975.50	\$ 316.80	(1,658.70)	\$ 1,756.00	\$ 281.60	(1,474.40)	\$ 3,292.50	\$ 528.00	(2,764.50)				
5.	010-286-015	Esperanza Carmel Commercial, LLC	Colonial Terrace Inn	NEC 13 <sup>th</sup> & San Antonio Block: Y, Lot: 7, 9, 10, 12, 14, 16 Colonial Terrace Inn/Carmel Beach Hotel & Spa	2022050873	11/3/2022	12/2/2022	1/1/2023	1/1/2043	\$3,545,959	\$127,193	\$61,108	(\$66,084)	\$ 76,315.61	\$ 36,665.06	(39,650.54)	\$ 7,631.56	\$ 3,666.51	(3,965.05)	\$ 1,271.93	\$ 611.08	(660.84)	\$ 1,271.93	\$ 611.08	(660.84)	\$ 11,447.34	\$ 5,499.76	(5,947.58)	\$ 10,175.41	\$ 4,888.68	(5,286.74)	\$ 19,078.90	\$ 9,166.27	(9,912.64)				
6.	010-232-030	David DiGirolamo & Diana Morshead	Albert Henry Hill House	Lopez St 3 NW of 4 <sup>th</sup> Ave Block: LL, Lot: ¼ N. of 7 & 9	2020011244	11/4/2019	3/5/2020	1/1/2020	1/1/2040	\$1,471,272	\$16,269	\$5,120	(\$11,149)	\$ 9,761.15	\$ 3,072.00	(6,689.15)	\$ 976.11	\$ 307.20	(668.91)	\$ 162.69	\$ 51.20	(111.49)	\$ 162.69	\$ 51.20	(111.49)	\$ 1,464.17	\$ 460.80	(1,003.37)	\$ 1,301.49	\$ 409.60	(891.89)	\$ 2,440.29	\$ 768.00	(1,672.29)				
7.	010-039-007	Sandra J. Markowski	Doll's House	NWC Santa Rita & Ocean Ave Block: 66, Lots: 2, 3, 4 (south part)	2017067462	12/5/2017	12/7/2017	1/1/2018	1/1/2038	\$183,450	\$5,673	\$3,040	(\$2,633)	\$ 3,403.94	\$ 1,824.00	(1,579.94)	\$ 340.39	\$ 182.40	(157.99)	\$ 56.73	\$ 30.40	(26.33)	\$ 56.73	\$ 30.40	(26.33)	\$ 510.59	\$ 273.60	(236.99)	\$ 453.86	\$ 243.20	(210.66)	\$ 850.98	\$ 456.00	(394.98)				
8.	010-154-005	Scott and Robbin Lonerigan	Lloyd C. Miller Cottage	NEC Dolores St & 12th Ave Block: 131, Lot: 14	2016069522	11/4/2016	11/16/2016	1/1/2017	1/1/2037	\$73,400	\$14,450	\$3,200	(\$11,250)	\$ 8,670.00	\$ 1,920.00	(6,750.00)	\$ 867.00	\$ 192.00	(675.00)	\$ 144.50	\$ 32.00	(112.50)	\$ 144.50	\$ 32.00	(112.50)	\$ 1,300.50	\$ 288.00	(1,012.50)	\$ 1,156.00	\$ 256.00	(900.00)	\$ 2,167.50	\$ 480.00	(1,687.50)				
9.	010-115-006	Ken Rheau	Francis Whitaker Cottage	Vista Ave, 2 NW of Mission Ave Block: 4 ½, Lots: W. ½ of 17 & 19	2016069521	11/4/2016	11/16/2016	1/1/2017	1/1/2037	\$81,020	\$8,658	\$2,400	(\$6,258)	\$ 5,194.81	\$ 1,440.00	(3,754.81)	\$ 519.48	\$ 144.00	(375.48)	\$ 86.58	\$ 24.00	(62.58)	\$ 86.58	\$ 24.00	(62.58)	\$ 779.22	\$ 216.00	(563.22)	\$ 692.64	\$ 192.00	(500.64)	\$ 1,298.70	\$ 360.00	(938.70)				
10.	010-165-015 / 010-165-015	Brad Slingerland and Anna Speers	Las Abuelas	NWC of Santa Lucia & San Carlos St Block: 143, Lots: 31, 33 and 35	2016069520	11/4/2016	11/16/2016	1/1/2017	1/1/2037	\$359,669	\$33,048	\$6,800	(\$26,248)	\$ 19,828.80	\$ 4,080.00	(15,748.80)	\$ 1,982.88	\$ 408.00	(1,574.88)	\$ 330.48	\$ 68.00	(262.48)	\$ 330.48	\$ 68.00	(262.48)	\$ 2,974.32	\$ 612.00	(2,362.32)	\$ 2,643.84	\$ 544.00	(2,099.84)	\$ 4,957.20	\$ 1,020.00	(3,937.20)				
11.	010-164-001	The Sharon B. Holtkamp and Kenneth W. Holtkamp AB Living Trust	Ross E. Bonham House	SWC San Carlos St & 12th Ave Block: 137, Lot: 1	2016069519	11/4/2016	11/16/2016	1/1/2017	1/1/2037	\$257,200	\$4,318	\$4,800	\$482	\$ 2,590.93	\$ 2,880.00	289.07	\$ 259.09	\$ 288.00	28.91	\$ 43.18	\$ 48.00	4.82	\$ 43.18	\$ 48.00	4.82	\$ 388.64	\$ 432.00	43.36	\$ 345.46	\$ 384.00	38.54	\$ 647.73	\$ 720.00	72.27				
12.*	010-041-001	Charles Whittington	Florence Lockwood Studio/House	SWC Ocean & Forest Ave Block: 83, Lot: 1	2014064199	12/8/2014	12/22/2014	1/1/2015	1/1/2035	\$45,250	\$0	\$0	\$0	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00				
13.*	009-164-008	Kim & Roy Sheingart	Kathryn Waite House	NEC Carpenter & 5th Block: 2A, Lot: 14	2013078015	8/6/2013	12/31/2013	1/1/2014	1/1/2034	\$123,500	\$0	\$0	\$0	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00				
14.*	010-287-006	Buff LaGrange	John Bathen House	2552 Santa Lucia Ave Block: Z, Lots: east part 14 & 16	2012062739	10/3/2012	10/12/2012	1/1/2013	1/1/2033	\$315,284	\$0	\$0	\$0	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00				
15.*	010-108-012	Stephanie Ager Kirz	Curtain Call	Junipero Ave, 2 NW of 3 <sup>rd</sup> Ave Block: 27 Lot: 15	2011066366	11/10/2011	11/18/2011	1/1/2012	1/1/2032	\$187,786	\$0	\$0	\$0	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00	\$ -	\$ -	0.00				
TOTALS											\$412,185	\$260,122	(\$152,063)	\$ 150,324.70	\$ 59,087.06	(91,237.63)	\$ 15,032.47	\$ 5,908.71	(9,123.76)	\$ 2,505.41	\$ 984.78	(1,520.63)	\$ 2,505.41	\$ 984.78	(1,520.63)	\$ 22,548.70	\$ 8,863.06	(13,685.64)	\$ 20,043.29	\$ 7,878.28	(12,165.02)	\$ 37,581.17	\$ 14,771.77	(22,809.41)				

\*NOTE: For these properties, a "pre" and "post" analysis was not able to be completed. For property #1, the Mills Act Contract does not go into effect until 2024, so no "post" numbers are available. For properties #12-#15, the City was unable to obtain tax records prior to 2016 because they are not available to the public, so no "pre" numbers were available.



## CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

November 7, 2023  
ORDERS OF BUSINESS

**TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Marnie R. Waffle, AICP, Principal Planner

**APPROVED BY:** Chip Rerig, City Administrator

**SUBJECT:** Level 2/Notable Home Incentive Program Proposal

### RECOMMENDATION:

Receive the report and provide early policy direction to staff on whether to begin work on creating a "Notable Home Incentive Program."

### BACKGROUND/SUMMARY:

#### Executive Summary:

Historic Resources Board member Karyl Hall has proposed a Notable Home Incentive Program to save selected non-historic Carmel homes from demolition/exterior remodeling. The proposed program was discussed by the Historic Resources Board over the course of five Board meetings. In July, the Board voted to send the revised Notable Home Incentive Program to the City Council for review and direction. The City Council is being asked if the Program has a 'red light' or 'green light' to proceed as a new project under the Community Planning & Building Department's work plan.

#### Background/Summary:

At the December 19, 2022, Historic Resources Board meeting, the Board requested a future agenda item to discuss a proposal prepared by Board member Karyl Hall to save selected non-historic Carmel homes from demolition/exterior remodeling.

At the January 23, 2023, meeting, the Board reviewed the proposal and directed staff to bring it to the City Council to consider the merits of adding the development of a Notable Homes Incentive Program to the Community Planning & Building Department's work plan. Following the January Board meeting, Board member Hall felt it was prudent to clarify some key points of the proposal prior to the Council's review and provided staff with a revised proposal for the Board's consideration at the March 20, 2023, meeting. Additional revisions were discussed by the Board at the May 15th and June 19th meetings, with the Board recommending additional refinements at each meeting.

On July 17, 2023, the Historic Resources Board reviewed a final draft of the proposal and voted to send the revised Notable Home Incentive Program to the City Council for review and direction.

Through the Board's review of the proposal, the name of the program evolved from Level 2 Proposal to Notable Home Incentive Program. Both terms refer to the same proposal.

The stated purpose of developing an incentive program to recognize notable Carmel homes is to further preserve Carmel's unique residential architectural character by saving older homes that reflect that character but may not officially qualify as historical resources. To qualify as a historic resource, a property must meet specified criteria in the City's Historic Preservation Ordinance (CMC Chapter 17.32). The criteria are based on state and national standards for the designation of historic resources. Homes that are not associated with an identified important person, have been altered, or do not reflect a defined architectural style, would not qualify under the national, state, or local criteria for listing as a historic resource. However, the home may reflect the vernacular architecture (general architectural style) of Carmel in the first half of the 20<sup>th</sup> century. The Notable Home Incentive Program is an effort to save homes that represent this architectural character but do not qualify as a historic resource. The Program proposes to incentivize the preservation of certain older homes by offering permit fee reductions and waived or reduced development standards (e.g., parking, setbacks, volume, etc.).

The Notable Homes Incentive Program proposal (Attachment 1) provides a basic framework for the identification and application of incentives for the City Council's consideration. In keeping with past practice, the Council is being asked for early guidance about whether this policy should be further developed ("red light" or "green light"). If the Council is supportive of exploring such a Program, they could direct staff to add the project to the Community Planning & Building Work Program and identify whether it is a low, medium, or high priority. If the Council is not supportive at this time, they could direct staff and the Historic Resources Board to stop work on its development.

The Council could also provide additional direction, such as whether an ad-hoc committee should be formed to develop the Program, whether a pilot program should be considered to gauge interest in the Program, and/or whether the Program should be a City Council policy or a zoning code amendment, or to return at a later date for reconsideration.

#### **FISCAL IMPACT:**

Staff time associated with implementation of this concept.

#### **PRIOR CITY COUNCIL ACTION:**

None.

#### **ATTACHMENTS:**

Attachment 1) Level 2 Notable Home Incentive Program dated 7.10.23

## NOTABLE HOME INCENTIVE PROGRAM

### AN INCENTIVE PROGRAM FOR SELECTED NON-HISTORIC CARMEL HOMES PROPOSED FOR DEMOLITION/EXTERIOR REMODELING

**MISSION STATEMENT:** To help preserve the unique residential architectural character of Carmel-By-The-Sea with an incentive program to save older homes that reflect that character.

The purpose of this proposal is to establish a new voluntary status for homes 70 years of age or older that do not qualify as “historic” but nevertheless are characteristic of our village in the forest, with the intent of protecting them from extensive alteration or demolition when possible. This designation would be less restrictive for the homeowner than the standard historic designation, both in qualifications and remodel requirements, should they choose to take advantage of the program. Incentives will be offered to encourage this “**Notable Home**” status.

#### IDEA STATEMENT: WHY WE NEED PROTECTIONS

Most Carmel homes of note do not qualify for historic status (see the criteria for historical register below, Table 1). This is for a variety of reasons, e.g., no record of who built it, the year built, etc. Many of these homes are being torn down, mostly to build larger structures to utilize the “highest and best use” for the owner/ investor.

This proposal is an incentive program to encourage homeowners to protect the special nature of Carmel-by-the-Sea. There is a range of architecture consistent with Carmel's character.

Yes, there is some “judgment” in determining which houses qualify for being designated **Notable Homes**. That is why we have knowledgeable staff and committees to ascertain these decisions. There will always be gray areas requiring judgment calls. However, as the current General Plan states, “conservation allows change and new construction as long as it is consistent with established character.” What is this established character? The General Plan defines it as follows: “In recognition of this close relationship between the natural and built environments, and perhaps intended to enhance this fit, many of the City's buildings have been designed with natural materials, pleasant open spaces and abundant landscaping with native plants. Carmel Stone, local granite, and the frequent use of wood in hand-carved doors, window frames, sills, moldings, roofing materials, and signs are all design features that contribute to the village character of the City. These form a contrast to the glass, steel, plastic, and featureless gray concrete so often found in other, more urban cities.

Attention to detail and emphasis on fine craftsmanship can be seen in the varied architecture of Carmel; local builders have embellished their work with detailing and individual style, which creates a unique and appealing building design. Most of Carmel-by-the-Sea's historic buildings exhibit myriad detailing, some of it intricate and some bold: surfaces are broken up by ridges, insets, decorative tiles, cavities, niches, and abrupt changes of material; textures exhibit a great

variety, from smooth-troweled plaster, brick, stone, rock or exposed aggregate to painted, carved or unfinished wood; corners often include bevels, bullnoses, cornices and moldings.”(2003 General Plan: “Land Use and Community Character: Architecture and Community Character”).

### QUALIFYING CHARACTERISTICS FOR NOTABLE HOME PROTECTION

1. Homes typically built up through the 1940s (but generally restricted to 70 years of age or older). Among the most noteworthy to Carmel in this period was the design of “Storybook” cottages that drew upon references of “Cotswold houses.” The housing stock is generally considered old-world European, vernacular, or traditional styles.
2. Homes built by Murphy, Comstock, Denny and Watrous, Hill, Morgan, and others listed in the historic register that meet the characteristics above. However, a home is not required to have proof/knowledge of the builder or restricted to a listed builder/architect to qualify for **Notable Home** status.
3. Small homes—one and two bedrooms. Saving a small home does not preclude the possibility of adding on in the same vernacular if the addition is designed to be subservient to the original building, ideally hidden from street view if possible. The floor area ratio must still be no more than 45% of the lot.

The proposed Carmel city code changes are consistent with the **Notable Home** proposal (Proposed Zoning Code and Residential Design Guideline amendments, August 21, 2019). Particularly relevant statements from the amendments regarding designs follow:

“...standards have been added requiring that (the home) be sensitive to neighborhood context, incorporate natural finish materials, use earth-toned colors, and consider using traditional roof forms such as gables.”

### ELIMINATED “POSSIBLE CHARACTERISTICS SECTION”

The updated City Design Guidelines (draft) provide six overlying principles of acceptable designs that ALSO apply to **Notable Homes**:

1. **PRESERVE**, restore, and enhance the forest in all improvement projects: private, public, and otherwise.
2. **SUBORDINATE** every built structure to the character and continuity of the forest, natural environment, and the natural features of its own site.
3. **FIT** every built structure within its neighborhood context.
4. **RETAIN** and build upon Carmel’s architectural heritage.

5. **DESIGN** every built structure with modesty.
6. **DETAIL** every property authentically and consistently.

**TABLE 1: HISTORIC REQUIREMENTS FOR LEVEL 1 HOMES JUXTAPOSED WITH PROPOSED REQUIREMENTS FOR NOTABLE HOMES**

HISTORIC REQUIREMENTS (LEVEL 1)	NOTABLE HOMES (LEVEL 2)
A. Representative of at least one theme in the Historic Context Statement.	Same, needn't be an exact included representation
B. Shall retain substantial integrity (association, feeling, setting, location, materials, and workmanship).	Not as restrictive, as long as the basic integrity of design, the house is maintained
C. Fifty years of age and older, and should meet at least one of the four criteria for listing in the CA Register at a national or statewide level of significance or at a regional or local level of significance:	70 years of age or older
1. Is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of CA or the U.S.,	Not necessary
2. Is associated with the lives of persons important to local, CA, or national History,	Not necessary
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, an important creative individual, or possesses high artistic values, <b>or</b>	Same
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, CA, or the nation.	Not necessary

D. To qualify for the Carmel Inventory, an historic resource eligible under CA Register criteria no. 3 only, should:

- |  |               |
|--|---------------|
| 1. Have been designed and/or constructed by an architect, designer/builder or contractor whose work has contributed to the unique sense of time and place recognized as significant in the Historic Context Statement,   | Not necessary |
| 2. Have been designed and/or constructed by a previously unrecognized architect, designer/builder, or contractor if there is substantial, factual evidence that the one or more of the historic contexts of the city to an extent consistent with other architects, etc. identified within the Historic Context Statement, | Not necessary |
| 3. Be a good example of an architectural style or type of construction recognized as significant in the Historic Context Statement,<br><b>or</b>   | Not necessary |
| 4. Display a rare style or type for which special consideration should be given. Rare styles and types that contribute to Carmel's unique sense of time and place shall be deemed significant.   | Not necessary |

E., F., and G.	Not applicable.
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H. A resource less than 50 years old may be eligible if it is of exceptional importance to the city, state, or nation, based on its unusually strong contribution to history architecture, engineering, or culture, or because it is an integral part of an historic district.	Same, but 70 years or older
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**NOTE:** Only houses that reflect the established character of the village, as defined in the General Plan, but do not qualify as historic, are to be considered for **Notable Home** status.



## PROPOSED INCENTIVES FOR NOTABLE HOMES

The **Notable Home** designation could be a badge of honor, further enhancing the value of the residence if financial and/or code amendment incentives were provided. Indeed, incentives would be the motivation for participation in most cases. Possible incentives follow:

1. Allow additions to existing homes while keeping the original home intact, using the same style of construction as the original.
2. Reduced planning and permit fees once the **Notable Home** designation is assigned.
3. Leniency regarding the following:
  - Flexibility in requirements for a home built before today's codes existed (illegal non-conforming issues)
  - Parking requirements relaxed
  - Basement allowed or expanded
  - Setback requirements reduced
  - Expeditious tree removal (if approved by the City Forester)
  - Volumetrics or bulk plane
  - Allow variances for semi-permeable and impermeable landscaping site coverage
  - Drainage requirements reduced
  - Greater site coverage allowed

**Note:** These would be mechanisms for the city planners to apply site-specific criteria with which the **Notable Home** homeowner could work. Any non-financial incentive would possibly require code amendments.

## STEPS TO ESTABLISH NOTABLE HOMES

1. A project would only be referred to the Historic Resources Board (HRB) by the city planning staff if the applicant elects to participate in the program and the checklist (Appendix A) indicates eligibility. The planning department staff would pass along to the HRB only cases for review for which the applicant desires to participate and that alter the exterior of the home. This includes all homes for which permit applications for exterior remodels or demolition have been submitted that are not designated historic and are 70 or more years of age. Excluded are plans only for deck and patio additions/changes, landscaping changes, and roof or other repairs/replacement if replaced with like-kind materials (see Checklist, Appendix A).
2. Candidates identified who are interested in participating would have their homes reviewed by the Historic Resources Board (HRB). The HRB would then make the determination of qualification for a **Notable Home** designation, similar to the procedures for Level 1 (historic) homes. This could be completed via email with a 4-day turnaround. If a majority of the HRB approves, the city planner proceeds with incentive(s) appropriate to the property.

3. If there is a majority “non-approval” by the HRB, staff would proceed as they have in the past, with “determination of ineligibility” established.

4. If a home is designated a **Notable Home**, the homeowner(s) could, if desired, meet with the HRB, to discuss their concerns/incentives with the designation and how it could impact their plans for the property. Otherwise, they would simply work with the planning department regarding incentives. The owner has the option of not accepting the designation before final plans are approved by the Design Review Board, Planning Department, or Planning Commission, whichever apply.

5. It becomes the responsibility of the Staff/Planning Commission to enforce restrictions for homes designated as a **Notable Home**, should the owner take advantage of the program.

**Notable Home** designation would exist through the property to new owners via city records, but not through deed restrictions. A new owner of an already designated **Notable Home** could retain the designation/incentives that had been originally applied but would not be able to utilize the designation for additional incentives, i.e., **Notable Home** incentives apply only once on a home. It is unlikely that a subsequent owner would demolish or extensively remodel a home that has a **Notable Home** qualified remodel or rebuild by the prior owner because they are already enjoying the benefits of the incentives and indeed might possibly lose prior incentives if rebuilding. Needless to say, designated historic homes do not qualify for incentives.

#### WAYS TO PROMOTE THE PROGRAM:

- The **Notable Home** program listed/described in the Design Guidelines, with a link to this document.
- Brochure for realtors, builders, and the public, at city hall – a method for notifying of the possibility of level two home designation.
- Slide show.
- City website list of examples of **Notable Homes** and requirements.

kh: revised 7.10.23

**CHECKLIST: REQUIREMENTS FOR NOTABLE HOMES APPLIED BY PLANNING DEPARTMENT**

All five criteria must be met to qualify as a **Notable Home**:

- \_\_\_\_\_ A. Is seventy years of age or older.
- \_\_\_\_\_ B. Plans for renovations/remodeling must retain basic integrity (association, feeling, setting, location, design, materials, and/or workmanship).
- \_\_\_\_\_ C. Is representative of at least one traditional historic theme (needn't be an exact representation).
- \_\_\_\_\_ D. Embodies the established character of a cottage in a village in the forest.
- \_\_\_\_\_ E. Renovations/remodel building plans involve changes beyond deck and patio additions, landscaping changes, and roof or other repairs or replacements in-kind.

kh: revised 7.10.23



# CITY OF CARMEL-BY-THE-SEA

## CITY COUNCIL

### Staff Report

November 7, 2023  
PUBLIC HEARINGS

<b>TO:</b>	Honorable Mayor and City Council Members
<b>SUBMITTED BY:</b>	Robert Harary, P.E, Director of Public Works
<b>APPROVED BY:</b>	Chip Rerig, City Administrator
<b>SUBJECT:</b>	Resolution 2023–103, selecting an Overhead to Underground Utility Conversion Project and establishing the Carmel Underground Utility District utilizing Rule 20A allocations  <b>Recommendation:</b> Adopt Resolution 2023–103 selecting an Overhead to Underground Utility Conversion Project Option #1 and/or Option #2, and establishing the Carmel Underground Utility District utilizing Rule 20A allocations.

#### RECOMMENDATION:

Adopt Resolution 2023–103 selecting an Overhead to Underground Utility Conversion Project Option #1 and/or Option #2, and establishing the Carmel Underground Utility District utilizing Rule 20A allocations.

#### BACKGROUND/SUMMARY:

In 1967, in response to local government interest in enhancing the aesthetics of their communities, the California Public Utilities Commission (CPUC) established electric tariff Rule 20. The Rule contains three separate programs that provide for undergrounding existing overhead utility lines. The rules established by the CPUC for electric utility companies are collectively known as Electric Rule 20. These include Rules 20A, 20B, and 20C. Each category of Electric Rule 20 addresses different funding mechanisms and qualifications for undergrounding existing overhead utility lines.

#### Electric Rule 20 Undergrounding Funding Options

##### A. Rule 20A: Municipal Projects

Rule 20A is the primary program for municipalities to underground utilities in built-up urban areas. Under Rule 20A, funding for undergrounding projects is primarily from ratepayer electric bills, so the projects must provide a benefit to the public at large.

To qualify, the governing body of the City must, among other things, determine, after consultation with Pacific Gas and Electric Company (PG&E), and after holding a Public Hearing on the subject, that

undergrounding is in the public interest for one or more of the following reasons:

- The street or road right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public. There is a high probability that the Del Mar parking area leading up to Carmel Beach, and the Mission Trail Nature Preserve would satisfy this requirement, although other areas, such as Forest Theatre, Sunset Center, City Hall, Scenic Drive, and/or Forest Hill Park may also qualify.
- The street or road right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic. There is a high probability that portions of Ocean Avenue and the central commercial district would satisfy this requirement.
- The street or road right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines. City streets that meet this requirement include Ocean Avenue, Carpenter Street, Junipero Street, Rio Road, San Antonio Avenue, San Carlos Street, and Santa Lucia Avenue.
- Wheelchair access is limited or impeded in a manner that is not compliant with the Americans with Disabilities act. There is a high probability that streets within the City satisfy this requirement, but would have to be analyzed on a case-by-case bases.
- The project eliminates an unusually heavy concentration of overhead electric facilities. There is a low probability that such a qualifying area exists in the City of Carmel (City).

It should be emphasized that Rule 20A was established to improve aesthetics at these qualifying locations. The overall Rule 20A Program has not been successful as a majority of projects were only executed in large metropolitan areas, projects took years - and oftentimes decades - to implement, and numerous agencies, including the City (until now), did not benefit from the Program.

In recent years, and in large part based on devastating wildfires in California allegedly caused by electrical wires, the Rule 20A Program has been subject to significant criticism by communities requesting undergrounding for wildfire prevention. Further, credits have been rapidly reallocated from agencies without prior notice, including from the City, and without recourse. Over the past two years, the CPUC has been revising, and is now phasing out the entire Program, which will expire in 2033. This report will touch on some of these key issues as it relates to the City's Rule 20A funding and proposed undergrounding project.

## **B. Rules 20B and 20C**

Under Rule 20B, projects are typically installed in conjunction with a subdivision development, and the costs are borne by the project developer. The developer pays for the installation cost of the underground system, less a credit for an equivalent overhead system. Rule 20B would not apply to a built-out community such as Carmel-by-the-Sea.

Under Rule 20C, projects are usually small and involve just one or more property owners. The costs are almost entirely borne by the applicants. Undergrounding within the provisions of Rule 20C occurs when neither Rule 20A nor Rule 20B applies. Under Rule 20C, the applicants pay the entire cost of the electric undergrounding. There are such potential undergrounding projects being planned in the City, notably along San Antonio Avenue, between Second and Fourth Avenues, that may qualify under Rule 20C.

## **City of Carmel Rule 20A Funding**

The City has limited Rule 20A community allocation credits to undertake any major utility undergrounding project. Municipalities historically accrued credits annually and received an annual notification each March. It is important to note work credits are not monies, but are credits as described in the Electric Rule 20 tariff. One work credit is equivalent to one dollar. As the name implies, the credit discounts the cost of a Rule 20A undergrounding project. In other words, credits can be applied to pay the full or partial cost of a qualifying undergrounding project.

### **Reallocation of Credits**

When a Rule 20A project requires additional work credits, credits from communities that are considered “inactive” can be reallocated to those communities who has a project with insufficient work credits to proceed into construction. This process is referred to as reallocation. Section A.1.c of the Electric Rule 20 Tariff states:

*“When amounts are not expended or carried over for the community to which they are initially allocated, they shall be assigned when additional participation on a project is warranted or be reallocated to communities with active undergrounding programs.”*

In March 2021, for the first time in the City’s Rule 20A work credit program, PG&E notified the City that they reallocated \$5,407 of the City’s credits to an under-funded, but active, undergrounding construction project for the City of Live Oak. The reallocation actually occurred seven months earlier, in August 2020. When staff inquired, we were informed that until the City has an “active” undergrounding project, the City’s Rule 20A credits are subject to further reallocations.

In October 2021, with staff’s recommendation, the City Council added the Underground Utilities Rule 20A Project to the Council’s Strategic Priorities list. Next, staff began researching the development of a district in accordance with the Rule 20A requirements, which, as noted below, have recently been significantly changed by the CPUC. Progress by staff was limited until the City’s Project Manager came on board in February 2023.

In the March 2022 PG&E allocation notice, the City still had \$986,646 in credits. However, in the March 2023 notice, we were notified that another \$175,796 of the City’s credits had been reallocated to 14 other cities, mostly in the Bay area. The reallocations had already occurred in October 2022 and January 2023.

In recent preparation of this staff report, we reached out to PG&E’s Rule 20A liaison to find out if further reallocations had occurred since the last notification, and indeed it had. Another \$143,211 was reallocated to eight other cities and counties across PG&E’s service territory in May and June 2023, again without prior notification to the City. As of today, the City’s Rule 20A allocation balance is down to \$667,639 work credits.

Over the past year, PG&E’s liaison made it clear that the CPUC was changing the entire Rule 20 Program, that no further work credits are being allocated, and that credits may even expire in the year 2033. It appears that as the uncertainty of the changing rules was underway, PG&E unilaterally reallocated City credits, along with credits of numerous other inactive cities.

## **Recent Changes to Rule 20A Undergrounding Funding**

California Public Utilities Commission Decision 21-06-013 discontinued authorization of new Rule 20A work credits for allocation after December 31, 2022. Additionally, municipalities are not permitted to borrow future work credits beyond 2022 work credit allocations. Unauthorized work credit trading is not permitted, except for intra-county donations of work credits from a county government to cities within the county or from a city to its county government, and pooling of work credits amongst two or more adjoining municipalities for a project with community benefit for the adjoining municipalities.

The CPUC has also temporarily halted the reallocation of credits by PG&E. The CPUC issued “Phase 2 Decision Revising Electric Rule 20 and Establishing Local and Tribal Government Consultation Requirements,” dated June 13, 2023, and included as **Attachment 2**. As a result, utility companies such as PG&E must file a Tier 2 advice letter to the CPUC to make a consolidated proposal for reallocations of Rule 20A credits within 18 months of the effective date of that decision. PG&E intends to file a Tier 2 advice letter to the CPUC in December 2024. In the interim PG&E cannot reallocate any community’s current work credits until such advice letter is submitted to the CPUC, thus temporarily freezing the current standing for communities such as Carmel-by-the-Sea. Thus, the City’s total work credit balance will remain at \$667,639.

In **Attachment 2**, the CPUC provided the following key conclusions which may be applicable to the City’s project:

- *“The Commission should define Underserved Community as any city...that has not completed a Rule 20A project since 2004.*
- *It is reasonable to discontinue the Rule 20A program.*
- *Any Rule 20A work credit that has not been allocated to a community with an Active Rule 20A Project within two years of the effective date of this decision should be deemed expired.*
- *Any Rule 20A work credit that has not been deducted from a community’s work credit balance by December 31, 2033 should be deemed expired.*
- *Utilities should give communities the option to contribute financially to a Rule 20A project that has insufficient work credits for completion. Utilities should prioritize reallocation of work credits from inactive communities to Active Rule 20A Projects with insufficient work credits....*
- *It is reasonable to not increase the number of Rule 20A work credits available for reallocation or otherwise increase ratepayer funding available for Rule 20A projects.”*

### **Active Versus Inactive Projects**

The CPUC further defined the definition of an “active” community in CPUC Resolution E-4971 as follows,

- “1. Formally adopts an undergrounding district ordinance which expires at completion of work within the district boundaries; or*
- 2. Has started or completed construction of an undergrounding conversion project within the last 8 years, defined as 2011 or later; or*
- 3. Has received Rule 20A allocations from the utility for only 5 years or fewer due to recent*

*incorporation.”*

Currently, the City does not meet this definition of “active” and is considered “inactive.” Of the three options to become “active” as described above, only Option 1 applies. Thus, it is prudent for the City to select an undergrounding conversion project and adopt a Resolution establishing an underground utility district so that the City will be “active.” Once the City is active, the remaining credits will be locked in.

### **Selecting an Overhead to Underground Conversion Project**

The first step to become an active community is to select a suitable undergrounding project. There were a number of possible undergrounding projects within the City, some discussed many years ago, that were considered. Public Works narrowed down these various options to the following two projects that appeared to be very strong candidates for Rule 20A funding and of a size that would be somewhat compatible with the available credits. These two options were previously introduced to Council, informally, and noted in prior Friday Letters.

The smallest qualifying project for Rule 20A must be a minimum 600 feet long. PG&E’s cost per foot guideline is approximately \$500,000 for a 600-foot long project, or \$833 per foot.

Options #1 and #2 are shown in **Attachment 3**. This attachment includes a preliminary Underground Utility District boundary map, an aerial photograph outlining the overhead utilities and poles to be relocated underground, and representative photographs of the poles and wires at these locations.

**Option #1** is located in the Del Mar parking lot from the intersection of Ocean/San Antonio Avenues, west along the southern edge of the North Dunes Habitat Restoration Site, and approximately 800 feet to the end of the parking lot at the foot of the entrance onto Carmel Beach. At the time of construction, seven (7) property owners, most adjacent to the south edge of the parking lot, would need to convert to underground facilities. Ten power poles and associated overhead wires would ultimately be removed. A very rough initial cost estimate prepared by staff, in today’s dollars, is \$700,000.

**Option #2** is located within the Mission Trails Nature Preserve from the entrance gate at Eleventh Avenue, along the west side of the Willow Trail, extending south for approximately 1,100 feet. At the time of construction, eight (8) property owners on Ridgewood Road would need to convert to underground facilities. Nine power poles and associated overhead wires would ultimately be removed. A very rough initial cost estimate in today’s dollars, is \$900,000.

Public Works submitted both options to PG&E for preliminary review. PG&E subsequently notified the City that both project options qualify as meeting the tariff criteria for a Rule 20A project.

Staff believes that both Options are viable, although staff suggests that Council select a project option following Public Hearing testimony.

- **Option #1** provides a greater advantage from a visual aesthetics perspective for a greater numbers of citizens and visitors to Carmel Beach and the North Dunes site. This aesthetic upgrade is fundamental to the genesis of the Rule 20A Program.
- **Option #2** would also improve aesthetics, but for fewer pedestrians walking along the Willow Trail. However, Option #2 would have more benefit than Option #1 in reducing the potential risk of a fire because these overhead lines are in the heavily-wooded Mission Trail Nature Preserve. Roughly two years ago, when PG&E announced their major initiative to underground wires at PG&E’s expense to



prevent wildfires following the fires in the Town of Paradise, the City requested PG&E to underground this same segment of overhead wires along the Willow Trail as per Option #2. Councilmember Ferlito was instrumental in that request. Unfortunately, a year later, PG&E notified the City that undergrounding this site at their expense was denied, and in fact, no known lines were undergrounded in Monterey County to that point in time.

There are numerous factors that can significantly influence the cost of an undergrounding project, from location, number of utilities involved, other utilities existing below ground, environmental considerations, topography, and market cost of labor and materials at the time of future construction. As a result, it becomes extremely hard to develop an early budget estimates for any such project. Further, as the design commences by the utilities, there may be additional, or less, power poles that will be removed compared to the above estimates. Similarly, additional, or less, Property owners may be required to convert to underground connections once the design is developed.

Another key issue when selecting an Undergrounding Utility Conversion Project is the impact to Property Owners in the Underground District. Depending on the Project Option #1 and/or #2 selected by Council, seven or eight Property Owners would be required to convert their facilities on their private properties and entirely at their expense. Each Property Owner would need to design the conversion for each home or business from their overhead utility connections to be received via new, underground services. This process would include obtaining permits and approvals from PG&E, other utilities, and the City, installing new utility service panels, trenching across their properties, and installing conduits up to the City's right-of-way to accommodate underground electric power, cable television, telephone, and other communications services. As a result, on-site landscaping, fences, driveways, or other improvements may also need to be restored after the installations are made. Finally, the overhead wires to the private homes or businesses would be removed. The Building Department estimates that such a conversion could cost roughly \$20,000 to \$30,000, although each property's situation would be different and could be costlier.

In addition to the public notice for the Public Hearing on this matter and flyers sent to property owners within 300 feet of both underground district options, the City Administrator, Public Works Director, and Project Manager will be meeting with as many directly impacted Property owners as possible to briefly explain the proposed undergrounding conversion project and gauge their potential interest, or opposition, to the project. This feedback is not yet known at the time of this report, but will be included in staff's presentation on the project at the Public Hearing.

As noted above, an "Active" status will lock in the City's current allocation of credits (\$667,639). If, at a later date, the City decides to revise either of the Project options, or considers a different location altogether, it can do so without any repercussion as it would not jeopardize the Active status. However, significantly revising the selected project at a later date could result in further project delays, especially after design is commenced by the utilities.

### **Initiating an Underground Utility District**

Per Carmel Municipal Code (CMC) Chapter 13.28, Underground Utilities, the City may establish an undergrounding district after holding a Public Hearing and adopting a Resolution. CMC Chapter 13.28 is included as **Attachment 4**. All property owners within the proposed underground district boundaries have been notified of this Public Hearing.

Once the City Council selects a preferred project option (or both project options), Public Works would formally initiate the project by submitting the Underground Utility District map showing the District boundaries, and project application materials to PG&E, telephone, and cable companies affected by the proposed project.

The Resolution in **Attachment 1** is in a format provided by PG&E. The proposed Resolution states, among other matters:

1. That the public interest requires that all existing overhead communication and electric distribution facilities in such District be removed and placed underground;
2. That each property served from overhead facilities shall have installed, in accordance with PG&E's rules for underground service, electrical facility changes on the premises necessary to receive services from the underground facilities of PG&E as soon as it is available; and
3. That once the overhead facilities are converted to underground, PG&E is authorized to discontinue its overhead service and remove all aerial facilities and power poles.

### **Proposed Council Actions following the Public Hearing**

At the November 7, 2023 meeting, Staff will provide a presentation outlining the Rule 20A funding process, describe the two undergrounding project options, and introduce the next steps from project application to PG&E through future construction.

Following Public Hearing testimony, Council will be asked to select Underground Utility Conversion Project Option #1, Option #2, or both. Alternatively, Council could direct staff to consider different options, or provide more information regarding any option for review at a subsequent Council meeting.

If a project option(s) is selected, Council will be requested to adopt Resolution 2023-103 which would formally select the Underground Utility Conversion Project(s) and establish the Carmel Underground Utility District. An immediate benefit to adopting the Resolution is to lock in the remaining Rule 20A credits, even if the selected Underground Utility District is modified in the future.

Resolution 2023-103 includes both underground district maps as an exhibit. If Council selects one of these options, only the selected option map would be included in the final Resolution.

### **Project Planning and Design**

Once PG&E determines that the City's Rule 20A Application is complete, their project team can initiate project planning. This is a multi-step process that includes developing an underground design, project plans, cost estimates, coordinating designs and schedules with the other utilities, and with the City. Project design also involves coordination with multiple utilities, regulatory agencies, and affected Property Owners. The preliminary design will confirm that the underground district boundary shown in **Attachment 3** is adequate for removal of the overhead facilities and is of adequate size and configuration to accommodate the new, underground facilities. Otherwise, the district boundaries may need to be adjusted by the City at that time.

Issues that could slow the planning and design phases include: obtaining environmental clearances and regulatory permits, securing easements if required, space constraints in the public right-of-way, tree impacts, parking lot or trail access restrictions, future funding arrangements with the City, and/or legal challenges.

The City should utilize all available work credits to pay for this project. However, if the City elects to move forward with a Rule 20A Project without having sufficient work credits to cover the full cost of the project, as is currently anticipated, a community fund would have to be pre-arranged to cover the work credit shortfall.

Since the cost of the underground conversion will not be known until a design is established, it is premature to lock in an amount or funding source for the anticipated shortfall at this time.

## **Project Construction**

Project construction by the utilities involves constructing underground utility vaults and various junction boxes, excavating and placing conduits for underground joint trenches, and pulling utility cables through the joint trench conduits.

As noted above, the Property Owners in the District must also convert their overhead service connections to receive the utility services via underground conduits installed on their private properties at their expense. Once all the underground infrastructure, both in the public right-of-way and on the private properties are in place, the overhead utility wires and power poles can be removed.

Recently, PG&E stated that new Rule 20A projects are still taking up to 10 years to complete from the initial planning application to pole removal. This is not unusual as other local agencies have experienced the same timelines or longer.

## **Pros and Cons of Utility Undergrounding**

While utility undergrounding has a number of benefits, there are some drawbacks that should be considered when establishing an undergrounding project.

Benefits include:

- **Aesthetics:** Better appearance of neighborhoods with power poles and lines removed from view.
- **Reliability:** Fewer power outages as underground power lines are not susceptible to high winds or falling trees and branches.
- **Safety:** Hazards of overhead power lines are eliminated, notably those that could spark fires, which provides improved safety for the community and utility workers.
- **Resilience:** Better resilience of the utility network to climate change, including impacts of stronger storms and temperature fluctuations.
- **Durability:** Underground systems have a longer useful life than overhead systems.

Drawbacks include:

- **Cost:** Installing underground utilities costs on average 10 times more to plan and install than overhead utilities for the same voltage and distance. The cost can range from 4 to 14 times more than overhead facilities.
- **Water infiltration:** Underground lines must be protected by waterproof conduit as they are susceptible to shortages from groundwater infiltration.
- **Ease of Repair:** When an outage occurs, locating the damaged area underground is more difficult and may take longer to repair. Replacing underground power lines is also more time-consuming.
- **Utility conflicts:** There are other utilities underground, including gas, sewer, water, and stormwater

drainage systems which limit the available space for undergrounding power and communications lines. This will be of particular concern along Carmel's narrow residential streets for future, larger-scale projects.

- Sidewalk hazards: More utility vaults and pedestals in the sidewalks or trails could potentially lead to falls.
- Flexibility: once a utility is undergrounded, power load changes can only be accommodated when the line is replaced.

### **Local Underground Projects**

As of December 2022, there were 10 active undergrounding projects in Monterey County, with four located on the Monterey Peninsula, three in the Salinas Valley, and three in Monterey County. Of these 10 projects, nine were in the initial "planning phase," which includes obtaining agreements, determining initial costs, and preparing for engineering, and only one was in construction.

A summary of three representative projects is provided below.

1. Moss Landing, County of Monterey: This is the only active project in Monterey County that has entered the construction phase. This project was initiated in 2001 and entails utility undergrounding in the commercial area. AT&T is the project lead, and the project cost was \$6M.
2. Reservation Road, City of Marina: Utility undergrounding is in the planning phase along a portion of Reservation Road. The anticipated cost is \$3.1M.
3. Carmel Valley Road, County of Monterey: This undergrounding district was established in 2013 and extends seven miles from Oak Meadow Lane near Garland Ranch State Park to Pilot Road in Carmel Valley Village. The project is also in the planning phase and has an anticipated cost of \$19.3M.

### **Larger Scale or Citywide Underground Considerations**

At the Strategic Priority Workshop of August 30, 2023 and as confirmed at the October 3, 2023 meeting, the City Council directed staff to pursue a larger-scale undergrounding project(s) separate from this one-time Rule 20A Project as a separate Strategic Priority.

Applying the same cost factor recently provided by PG&E of \$500,000 for every 600 feet for undergrounding, and noting the City has 27 centerline road miles (142,560 lineal feet), a rough estimate, in today's dollars, of converting the City at large to underground would be \$120 million.

### **Environmental Determination**

The City has determined that establishing the Overhead to Underground Utility Conversion Project and the Carmel Underground Utility District are exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) California Public Resources Code Section 21000, et seq., pursuant to Section 15061(b)(3) of the CEQA Guidelines, covering activities with no possibility of having a significant effect on the environment, and that establishing the Overhead to Underground Utility Conversion Project and the Carmel Underground Utility District do not directly or indirectly authorize or approve any actual changes in the physical environment.

### **FISCAL IMPACT:**

Funding for an underground utility conversion project using Rule 20A credits from PG&E is described above. The City's work credit balance is \$667,639.

There is no fiscal impact to the City at this time. Should the credits be insufficient to fund the Underground Utility Conversion Project(s) selected by the City Council, as currently anticipated, City funds will need to be identified and secured at that time. It may be years until such time as a cost estimate is determined by PG&E.

#### **PRIOR CITY COUNCIL ACTION:**

In October 2021, the Rule 20A Undergrounding Project was included in the City Council's list of Strategic Priorities. Updates on the status of this project was provided in subsequent Council workshops and meetings regarding the Strategic Priorities.

#### **ATTACHMENTS:**

Attachment 1) Resolution 2023-103

Attachment 2) CPUC Decision, June 13, 2023

Attachment 3) Underground Conversion Project Options #1 and #2

Attachment 4) CMC Chapter 13.28, Underground Utilities

**CITY OF CARMEL-BY-THE-SEA  
CITY COUNCIL**

**RESOLUTION NO. 2023-103**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA  
SELECTING AN OVERHEAD TO UNDERGROUND UTILITY CONVERSION  
PROJECT AND ESTABLISHING THE CARMEL UNDERGROUND UTILITY DISTRICT  
UTILIZING RULE 20A ALLOCATIONS**

WHEREAS, the California Public Utilities Commission (CPUC) has authorized electric and telecommunication utilities to convert overhead utility lines and facilities to underground pursuant to Electric Rule 20 and Telecommunication Rule 32; and

WHEREAS, pursuant to certain criteria, CPUC rules allow participating cities and counties to establish legislation authorizing the creation of underground utility districts within which existing overhead electric distribution and telecommunication distribution and service facilities will be converted to underground; and

WHEREAS, the City of Carmel-by-the-Sea (City) has adopted an Underground Utility Ordinance, Chapter 13.28 of the Carmel Municipal Code authorizing the City Council to designate areas within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

WHEREAS, the Director of Public Works for the City has consulted with the affected public utilities and such utilities have agreed that the proposed underground conversion district, designated the Carmel Underground Utility District and more particularly described in Exhibit 1 attached hereto and incorporated herein by reference, meets the criteria established by the rules of the CPUC, to wit,

- that such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities, and/or
- that the street or road right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic, and/or
- that the street or road right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public, and/or
- that the street or road right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines; and

WHEREAS, each year the City is notified by PG&E regarding the allocation of work credits for conversion of overhead electric distribution lines and facilities to underground, known as Rule 20A allocations; and

WHEREAS, the City and the affected utilities have agreed that each utility shall complete the engineering of their respective portion of the City's Overhead to Underground Utility Conversion Project; and

WHEREAS, the City and the affected utilities have agreed that PG&E shall be responsible for preparation of the trench profile and composite drawings, and that PG&E shall be designated as "trench lead" to manage trenching, installation of substructures, and pavement restoration and such other work; and

WHEREAS the Director of Public Works of the City and the affected utilities have agreed on a work schedule which meets their respective capabilities and further agreed to waive any administrative fees, costs or special street restoration requirements for purposes of this project; and

WHEREAS, to the extent required, the City has agreed to provide easements or rights of way on private property as may be necessary for installation of utility facilities in a form satisfactory to the affected utilities; and

WHEREAS, the City Council of the City has now received the report from the Director of Public Works recommending that the area identified in Exhibit 1 should be designated as an underground utility district within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

WHEREAS, the City has determined that establishing the Overhead to Underground Utility Conversion Project and the Carmel Underground Utility District are exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) California Public Resources Code Section 21000, et seq., pursuant to Section 15061(b)(3) of the CEQA Guidelines, covering activities with no possibility of having a significant effect on the environment, and that establishing the Overhead to Underground Utility Conversion Project and the Carmel Underground Utility District do not directly or indirectly authorize or approve any actual changes in the physical environment; and

WHEREAS, the City has notified all affected property owners within the proposed Carmel Underground Utility District and inviting same to attend a Public Hearing to discuss formation of the proposed district; and

WHEREAS, the City Council of the City held a Public Hearing at which time the Council did receive and consider the recommendation of the Director of Public Works and did hear any and all objections or protests that were raised by the owners of property within the above described district pertaining to designating this area an underground utility district.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA THAT:**

**Section 1.** The public interest requires the removal of all existing utility poles [excepting those poles supporting safety lights], overhead wires and associated

overhead structures and installation of underground wires and facilities for supplying electric power, communication, or similar associated services within the areas as shown in Exhibit 1, attached hereto, with such area being designated as the Carmel Underground Utility District.

**Section 2.** That the utility companies, cable television services and other affected services shall commence work on installation of underground facility installation in the Carmel Underground Utility District and that as each phase of the project is complete and ready for conversion from overhead to underground utility facilities, all fronting property owners shall be notified by first class letter, postage pre-paid, of the schedule for conversion of all utility service lines.

**Section 3.** The electric utility shall not use the underground conversion allocation computed pursuant to decisions of the California Public Utilities Commission for the purpose of providing to each premises requiring it in the Carmel Underground Utility District a maximum of one hundred feet of individual electric service trenching and conductor (as well as backfill, paving and conduit, if required) and each other serving utility shall provide service trenching and conductor in accordance with its rules and tariffs on file with the California Public Utilities Commission or as required by its Franchise Agreement with the City.

**Section 4.** The electric utility shall not use said underground conversion allowance allocation, up to a maximum amount of \$1,500 per service entrance excluding permit fees, for the conversion of electric service panels to accept underground service in the Carmel Underground Utility District, and each property owner shall be financially responsible for any and all costs not covered by the electric utility for the installation and maintenance of the conduit and termination box located on, under or within any structure on the premises served.

**Section 5.** That upon notification as specified in Section 2, all property owners in the Carmel Underground Utility District shall have underground electrical entrance facilities installed and inspected pursuant to the City's Electrical Code within sixty (60) days and that should any property owner fail to install satisfactory underground electrical entrance facilities by the date specified in the notice, the electric utility shall notify the Director of Public Works who shall, within thirty (30) days direct the electric utility in writing to discontinue electrical service to the property, without recourse, pursuant to Rule 11 until electrical entrance facilities are ready to accept underground electrical conductors and have passed the necessary inspection requirements.

**Section 6.** That once all services have been converted from overhead to underground, the utility companies, cable television services and other affected services shall remove all poles (except as specified above) and associated overhead facilities in the Carmel Underground Utility District.



**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 7th day of November, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

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Dave Potter  
Mayor

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Nova Romero, MMC  
City Clerk

Attachment: Exhibit A



# GIS MAP - Carmel-by-the-Sea - Underground Utility District 1



City Limit  
Parcels  
County Parcels

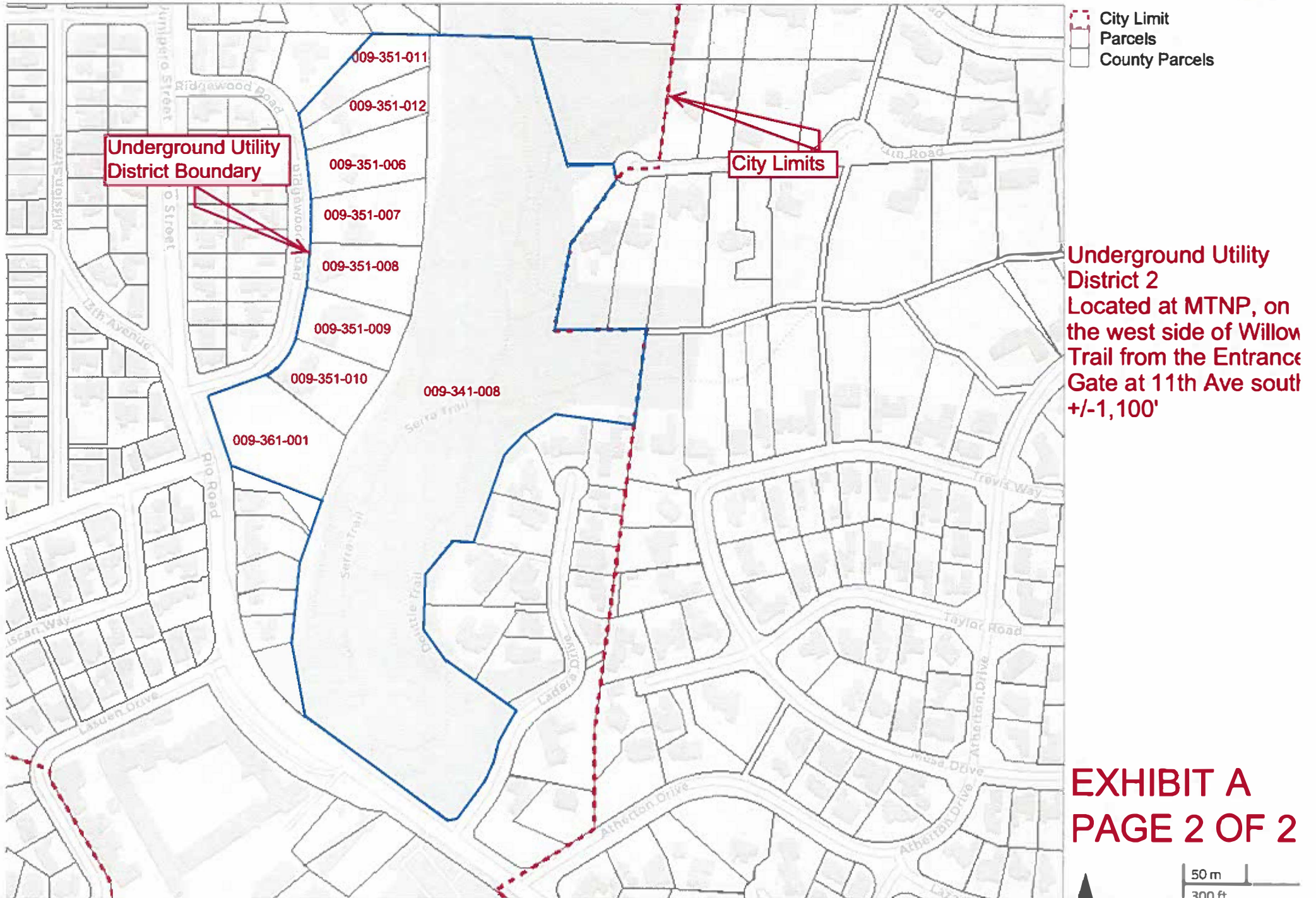
**Underground Utility District 1**  
Located on the west side of Ocean Ave from San Antonio Ave west approximately 800' to the end of the parking lot at the Del Mar Beach Entrance.

**EXHIBIT A**  
**PAGE 1 OF 2**





# GIS MAP - Carmel-by-the-Sea - Underground Utility District 2



COM/ARD/mef

Date of Issuance: 6/13/2023

Decision D.23-06-008 June 8, 2023

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to  
Consider Revisions to Electric Rule 20  
and Related Matters.

Rulemaking 17-05-010

**PHASE 2 DECISION REVISING ELECTRIC RULE 20 AND ESTABLISHING  
LOCAL AND TRIBAL GOVERNMENT CONSULTATION REQUIREMENTS**



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### **Attachment A - Required Information Regarding Proposed Projects for Reallocation of Rule 20A Work Credits**

## **PHASE 2 DECISION REVISING ELECTRIC RULE 20 AND ESTABLISHING LOCAL AND TRIBAL GOVERNMENT CONSULTATION REQUIREMENTS**

### **Summary**

Electric Rule 20 (Rule 20) defines policies and procedures for investor-owned utilities to convert overhead power lines and other equipment to underground electric facilities at the request of a city, county, or private applicant.

This Phase 2 decision discontinues Rule 20A and Rule 20D to prevent ratepayers from funding inefficient and inequitable infrastructure investments. Rule 20A is a subprogram of Rule 20 that allocates ratepayer-funded work credits to cities and unincorporated counties for projects that meet criteria focused on aesthetic purposes. Rule 20D is a subprogram that allocates ratepayer-funded work credits to projects for mitigating fire risk in San Diego Gas & Electric Company's service territory. No project has ever been completed through Rule 20D.

The Commission will retain its authority to decide whether to approve ratepayer-funded investments in undergrounding electric lines or authorize less expensive solutions for mitigation of wildfire-related risks through other processes, including General Rate Case proceedings. Local and tribal governments will have the opportunity to provide input on large utilities' wildfire-related undergrounding plans on a regular basis.

This decision directs Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to leverage an existing semi-annual workshop requirement to consult with local and tribal governments about wildfire-related undergrounding investment plans.

Rulemaking 17-05-010 is closed.

## 1. Background

On May 11, 2017, the Commission issued the Order Instituting Rulemaking to Consider Revisions to Electric Rule 20 and Related Matters (OIR). The OIR described the long procedural history of the Electric Rule 20 program (Rule 20), dating back to 1967. The OIR named certain electric utilities and communications providers as respondents to the rulemaking.<sup>1</sup>

Rule 20A is a subprogram of Rule 20 that allocates ratepayer-funded work credits to cities and unincorporated counties for projects that meet eligibility criteria focused on aesthetic purposes. Rule 20D is a subprogram that allocates ratepayer-funded work credits to reduce fire risk in high fire risk areas within cities and unincorporated counties in San Diego Gas & Electric Company (SDG&E) service territory.

On June 3, 2021, the Commission approved Decision (D.) 21-06-013, which revised Rule 20A as follows: (a) discontinued new work credit allocations for Electric Rule 20A projects, (b) clarified Electric Rule 20A project eligibility criteria and work credit transfer rules, and (c) enhanced program oversight. The decision concluded Phase 1 of the proceeding (Phase 1 Decision).

On August 16, 2022, the assigned Commissioner issued a Scoping Memo and Ruling (scoping memo) that established the issues for Phase 2 of this

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<sup>1</sup> Electric utility respondents: Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), Bear Valley Electric Service Company (BVES), Liberty Utilities (Liberty), and PacifiCorp. Facilities-based communications provider respondents: Incumbent Local Exchange Carriers, AT&T California, Cal-Ore Telephone Company, Calaveras Telephone Company, Citizens Telecommunications Company of California, Ducor Telephone Company, Foresthill Telephone Company, Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Company, Pinnacles Telephone Company, Ponderosa Telephone Company, Sierra Telephone Company, Siskiyou Telephone Company, Frontier California, Volcano Telephone Company, Consolidated Communications of California, Winterhaven Telephone Company, and other facilities based communication providers.

proceeding and requested party comments. The following parties filed opening comments and/or reply comments to the scoping memo questions: Rural County Representatives of California (RCRC); City of San Jose; Liberty Utilities (CalPeco Electric) LLC (Liberty Utilities); PacifiCorp d.b.a. Pacific Power (PacifiCorp); County of Sonoma; County of San Diego; Southern California Edison Company (SCE); League of California Cities (Cal Cities); SDG&E; Public Advocates Office of the California Public Utilities Commission (Cal Advocates); California Cable & Telecommunications Association (CCTA); AT&T Mobility, Pacific Bell Telephone Company d/b/a AT&T California (AT&T); City of Laguna Beach; City of San Diego; Pacific Gas and Electric Company (PG&E); and California State Association of Counties (CSAC).

On November 8, 2022, the Commission's Energy Division held a workshop (2022 Workshop) on the Phase 2 issues. Over 200 stakeholders participated in the workshop. Workshop panelists included representatives of PG&E, SCE, SDG&E, The Utility Reform Network (TURN), Cal Advocates, CSAC, RCRC, Lake County, and Cal Cities.

On December 7, 2022, the assigned Administrative Law Judge (ALJ) issued a ruling to request party comments on the 2022 Workshop. The following parties filed opening comments and/or reply comments to the scoping memo questions: SCE, PG&E, SDG&E, Cal Cities, Cal Advocates, TURN, County of Tuolumne, County of San Diego, AT&T, Citizens Telecommunications Company of California Inc., Frontier Communications of the Southwest Inc., Frontier California Inc., Santa Barbara Cellular Systems, Ltd., and New Cingular Wireless PCS, LLC.

This matter was submitted on February 17, 2023 upon filing of reply comments to the ALJ ruling on December 7, 2022.



## **2. Issues Before the Commission**

The Phase 2 issues before the Commission are as follows:

- a. Whether to modify Rule 20A project eligibility criteria to include wildfire safety and emergency-related undergrounding or otherwise modify Rule 20A project eligibility criteria;
- b. Whether the Commission or utilities should enhance engagement with local and tribal governments to inform utility investments in undergrounding for wildfire safety, resilience, or emergency-related purposes;
- c. Whether to modify or discontinue the Rule 20D program;
- d. Whether to modify the Rule 20 program to support future projects in underserved, tribal, and/or disadvantaged communities or otherwise advance the goals of the Commission's Environmental and Social Justice (ESJ) Action Plan 2.0; and
- e. Whether to take additional steps to support the completion of active Rule 20A projects with insufficient work credits in underserved, tribal, and/or disadvantaged communities.

## **3. Wildfire-Related Undergrounding Investments by Ratepayers**

Before addressing issues (a) through (c) above, this decision will first consider what role local and tribal governments should have in determining where to cost-efficiently invest ratepayer funding in undergrounding power lines to mitigate wildfire-related risk.

Local governments argued that they should be involved in siting undergrounding projects for wildfire-related purposes because local governments have valuable knowledge of the wildfire-related needs of their communities. RCRC asserted that local governments have a deep understanding of their communities, including energy reliability needs and natural disaster vulnerabilities. RCRC strongly supported enhanced engagement with local

governments to plan undergrounding projects for wildfire mitigation and resilience purposes because there is “little or no utility involvement with local governments to determine which undergrounding projects will be included in their wildfire mitigation or resilience programs.”<sup>2</sup> RCRC argued, “What makes Rule 20 special is that it is focused on those projects identified by local governments. One of the most significant differences between Rule 20 undergrounding and other utility-led undergrounding efforts is that it puts local governments in the driver seat.”<sup>3</sup>

Cal Cities similarly argued that utility ratepayers should fund “locally-identified wildfire safety and emergency projects that might otherwise not be high priority for PG&E but hold great significance locally and for overall wildfire mitigation.” Cal Cities also strongly supported enhancing engagement with local governments earlier in the planning process for utility investments in undergrounding for safety, resilience, or emergency-related purposes. Cal Cities proposed that large utilities should be required to consult with cities about their wildfire-related undergrounding plans early enough in the planning process so that the information gained from the consultation can inform the large utility’s plans. Cal Cities proposed additional requirements for public hearings and comments from local officials.<sup>4</sup>

Tuolumne County commented that local governments should have the opportunity to provide input on utilities’ wildfire-related undergrounding plans during the “scoping and planning stages.”<sup>5</sup>

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<sup>2</sup> RCRC’s comments on January 20, 2023.

<sup>3</sup> RCRC’s comments on September 13, 2022.

<sup>4</sup> Cal Cities’ comments on September 15, 2022.

<sup>5</sup> Tuolumne County comments on January 20, 2023.

The large electric utilities each argued that the Commission should not create new requirements for utilities to consult with local or tribal governments about wildfire-related undergrounding projects. SDG&E argued that utilities have the most expertise in wildfire safety and should continue to identify where to invest in undergrounding power lines for safety and emergency purposes, and that its existing processes for consulting with local governments is sufficient. SDG&E also opposed changing Rule 20A project eligibility criteria to include wildfire mitigation.<sup>6</sup>

PG&E argued that its existing processes for engaging with local governments and tribes is sufficient because it “appropriately balances the utilities’ need to efficiently move forward with our undergrounding work that mitigates for system-wide wildfire risk and accounts for the needs of communities, tribes and customers to be informed and involved in the process.” PG&E explained that it first selects wildfire undergrounding investments based on wildfire risk models, in consultation with regulators, and then begins engagement with local governments and tribes after the projects are selected.<sup>7</sup>

SCE opposed Cal Cities’ proposal for increasing engagement with local governments in planning utility-driven investments in wildfire undergrounding, arguing that its existing and planned outreach efforts already offer opportunities for local and tribal governments to provide input to inform SCE’s determinations about whether to pursue wildfire mitigation-related undergrounding projects.<sup>8</sup>

No party specifically argued that small or multi-jurisdictional utilities should be required to increase local and tribal engagement about wildfire-related

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<sup>6</sup> SDG&E comments on September 15, 2022.

<sup>7</sup> PG&E’s comments on February 17, 2023.

<sup>8</sup> SCE’s comments on January 20, 2023 and February 17, 2023.

undergrounding investment plans. No small or multi-jurisdictional utility addressed this issue in comments.

Local and tribal governments should have the opportunity to provide input on large electric utilities' wildfire-related undergrounding plans on a regular basis. Local governments have valuable knowledge of the wildfire-related needs of their communities. It is not sufficient for utilities to inform local governments about wildfire-related undergrounding plans and projects after these plans are final.

Ratepayer advocates strongly opposed allowing local governments to decide where ratepayers should invest in wildfire-related undergrounding through the Rule 20A program. TURN asserted that Californians are facing an "unprecedented and increasingly dire affordability crisis" and urged the Commission to avoid irresponsible spending of ratepayer funds. TURN argued that the Commission should retain its authority to decide whether to approve ratepayer-funded investments in undergrounding electric lines or authorize less expensive solutions through General Rate Case (GRC) Phase 1 proceedings.<sup>9</sup>

Cal Advocates similarly argued that decisions to invest in undergrounding or other solutions for mitigating wildfire risk at much lower costs to ratepayers, including covered conductor, should be made through the Wildfire Mitigation Plans (WMPs) approval process.<sup>10</sup>

PG&E and SDG&E agreed that decisions regarding wildfire mitigation investments should continue to be made through the existing GRC Phase 1 and WMPs processes and that Rule 20A should not be expanded to address wildfire

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<sup>9</sup> TURN's comments on January 20, 2023.

<sup>10</sup> Cal Advocates comments on January 20, 2023.

mitigation.<sup>11</sup> PG&E also noted that Senate Bill (SB) 884, Stats. 2022, ch. 819, requires the creation of an additional regulatory process for reviewing utility undergrounding investments for wildfire mitigation, which will be overseen by the Office of Energy Infrastructure Safety (OEIS) and the Commission.<sup>12</sup> Liberty Utilities and PacifiCorp agreed that addressing wildfire safety and emergency issues should remain outside of the Rule 20A context since conversion of overhead facilities to underground is very expensive in comparison to other wildfire mitigation measures such as hardening the overhead system.

The Commission and OEIS have existing processes that are more appropriate than the Rule 20 program for considering whether to approve ratepayer-funded investments in wildfire-related undergrounding or more cost-efficient measures. It is reasonable for the Commission to retain its authority to decide whether to approve ratepayer-funded investments in undergrounding electric lines or authorize less expensive solutions for mitigation of wildfire-related risks through existing processes and any future process created in accordance with SB 884.

### **3.1. Whether to Add Rule 20A Project Eligibility Criteria for Wildfire-Related Undergrounding**

As discussed above, local governments should have the opportunity to influence the planning of utilities' wildfire-related undergrounding projects, but the Commission will not delegate its authority for deciding whether to approve ratepayer-funded investments in undergrounding electric lines or more cost-efficient solutions for mitigation of wildfire-related risks.

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<sup>11</sup> Comments of PG&E and SDG&E on January 20, 2023.

<sup>12</sup> PG&E's comments on January 20, 2023.

RCRC, Cal Cities, and CSAC argued that local governments should have the opportunity to pursue Rule 20A projects for wildfire-related projects because utilities may not prioritize projects that reflect local governments' knowledge of the specific needs of their communities.<sup>13</sup> As discussed in Section 3.2 below, this decision will provide opportunities for local and tribal governments to inform utilities' plans for wildfire-related undergrounding. This approach will incorporate local and tribal concerns while retaining the Commission's authority to determine whether to approve ratepayer funding for investments in wildfire-related undergrounding projects.

SCE proposed to give local and tribal governments the opportunity to propose Rule 20A projects for wildfire mitigation purposes in the locations with the highest wildfire-related safety risks, with the caveat that utilities should have the option to assess whether it makes sense to underground overhead lines in areas where covered conductor has already been installed to reduce ignition risk.<sup>14</sup> SCE proposed to allow utilities to decide whether to approve Rule 20A projects for wildfire mitigation purposes where covered conductor has been installed, presumably because the costs may outweigh the benefits of these projects.

This decision will not adopt SCE's proposal because the Commission will not delegate its authority to utilities or local governments for determining whether the costs of wildfire-related undergrounding investments outweigh the benefits for specific projects.

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<sup>13</sup> RCRC comments on September 13, 2022; Cal Cities' comments on September 15, 2022; and CSAC's comments on September 26, 2022.

<sup>14</sup> SCE's comments on February 17, 2023.

Further, as discussed in Section 3.3 below, local governments have not completed a single project under Rule 20D, which the Commission authorized in 2014 to allow local governments in SDG&E's service territory to use ratepayer funding for wildfire mitigation undergrounding in locations designated by SDG&E.

For the reasons above, it is reasonable to not add wildfire-related project eligibility criteria to Rule 20A.

### **3.2. Whether to Enhance Engagement with Local Governments and Tribal Jurisdictions to Inform Utility Investments in Undergrounding for Wildfire Safety, Resilience, or Emergency-Related Purposes**

As discussed above, this decision concludes that local and tribal governments should have the opportunity to provide input on the large electric utilities' wildfire-related undergrounding plans on a regular basis.

PG&E, SCE, and SDG&E each opposed the creation of new local consultation processes, arguing that they each have extensive existing processes for engaging with local and tribal governments about planned investments in wildfire-related undergrounding.<sup>15</sup> Liberty Utilities, PacifiCorp, and Bear Valley did not comment on this topic.

In contrast, RCRC commented that although it is a member of PG&E's Undergrounding Advisory Group and an active stakeholder of the Office of Energy Infrastructure Safety's Wildfire Mitigation Plan process, the 2022 Workshop presentations on utilities' wildfire undergrounding efforts provided "the first real look" into PG&E's undergrounding plans and criteria for selecting

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<sup>15</sup> See comments of PG&E, SCE, and SDG&E on January 20, 2023 and February 17, 2023.

project locations.<sup>16</sup> PG&E acknowledged that it generally informs local and tribal governments about undergrounding plans after the project locations have been selected.<sup>17</sup>

This decision recognizes that the creation of a new local and tribal consultation process would significantly increase administrative costs borne by electric ratepayers as well as local and tribal governments. However, it is necessary to establish utility consultation requirements to ensure that local and tribal governments have the opportunity to provide input on utilities' wildfire undergrounding plans on a regular basis. This decision will leverage an existing consultation process to minimize administrative costs.

In D.20-06-017, the Commission ordered PG&E, SCE, and SDG&E to conduct semi-annual workshops (Semi-Annual Local/Tribal Workshops) designed to empower local and tribal jurisdictions with a better understanding of grid operations, utility infrastructure, and the nature of weather events alongside utilities' Public Safety Power Shutoff (PSPS) mitigation initiatives so they can make informed decisions on where to focus their resiliency planning efforts, capital investments, and pre-PSPS event operations. The agendas for these Semi-Annual Local/Tribal Workshops must include a discussion of utilities' electric transmission and distribution infrastructure investment plans.<sup>18</sup> Wildfire-related undergrounding is highly relevant to this agenda item.

It is reasonable to direct PG&E, SCE, and SDG&E to include the following items in the agenda of each Semi-Annual Local/Tribal Workshop: (a) briefing about the utility's wildfire-related transmission and distribution investment

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<sup>16</sup> RCRC's comments on January 20, 2023.

<sup>17</sup> PG&E's comments on January 20, 2023.

<sup>18</sup> Ordering Paragraph 7 of D.20-06-017.



plans, including plans for potential undergrounding project locations that are not final; and (b) opportunity for local and tribal governments to share their priority sites for wildfire-related undergrounding projects.

### **3.3. Whether to Modify or Discontinue the Rule 20D Program**

On February 13, 2020, the assigned ALJ issued a ruling to request comments on a staff proposal to reform the Rule 20 program (February 2020 Staff Proposal). The February 2020 Staff Proposal included the following background information about the Rule 20D program.

Rule 20D is currently only in SDG&E's service territory and it applies specifically to undergrounding in SDG&E's high fire threat areas where undergrounding is deemed by SDG&E to be a preferred method for wildfire mitigation in a given area. Rule 20D is structured similarly to the Rule 20A program and is similarly-community-driven. SDG&E annually allocates work credits to eligible communities and that they may borrow forward five years to obtain additional funds. Unlike Rule 20A, Rule 20D only allows communities to utilize work credits towards the conversion of primary distribution to underground. The program does not pay for undergrounding secondary lines or services, or for panel conversions for residences or businesses. Rule 20D has been in existence since 2014 and SDG&E has not started or completed a single project to date through this program.<sup>19</sup>

The February 2020 Staff Proposal included the following explanation for its recommendation to discontinue the Rule 20D program.

Rule 20D may no longer serve a function in light of the utilities' [WMPs] which are intended to fire harden overhead infrastructure in the same high fire threat areas that would be eligible for Rule 20D projects. The utilities' WMPs are not precluded from including undergrounding as a mitigation measure. Rule 20D projects may place higher costs on ratepayers than simply installing steel poles

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<sup>19</sup> February 2020 Staff Proposal at 11.

and covered conductors. Furthermore, the program may be too slow to complete undergrounding projects in light of the growing wildfire risk. Not a single Rule 20D project has been initiated since the program began in 2014 and any projects could take up to seven years to complete.<sup>20</sup>

The February 2020 Staff Proposal recommended discontinuing the allocation of new work credits immediately and allowing communities to use previously allocated work credits to complete existing projects within 10 years.<sup>21</sup>

In D.21-06-013, the Commission declined to address the staff recommendation to discontinue the Rule 20D program and concluded that the Commission would consider whether to modify or discontinue the Rule 20D program in Phase 2 of this proceeding.

In the scoping memo, the assigned Commissioner requested party comments on whether to modify or discontinue Rule 20D. Only SDG&E, County of San Diego, and Cal Advocates commented on the Rule 20D issue. The City of San Diego had no comments on this issue.<sup>22</sup>

SDG&E supported discontinuation of Rule 20D in alignment with its comments that wildfire-related undergrounding investments should be approved through GRC Phase 1 proceedings and WMPs. SDG&E asserted that since the beginning of the program, no community has been able to identify a Rule 20D project due to the eligibility terms.<sup>23</sup>

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<sup>20</sup> February 2020 Staff Proposal at 37-38.

<sup>21</sup> February 2020 Staff Proposal at 38.

<sup>22</sup> City of San Diego's comments on September 15, 2022.

<sup>23</sup> SDG&E's comments on September 15, 2022.

Cal Advocates supported discontinuation of Rule 20D, arguing that the program is unnecessary because it is duplicative of the WMPs and no projects have been initiated under Rule 20D.<sup>24</sup>

County of San Diego expressed its strong interest in mitigating fire risk but did not oppose discontinuation of Rule 20D. County of San Diego explained that it has not completed any Rule 20D projects for several reasons, including the program requirements to form an undergrounding utility district and the additional costs of undergrounding that are not covered by ratepayers, such as right-of-way acquisition and environmental analysis. Further, County of San Diego has not been able to use Rule 20D with similar success as its Rule 20A credits because it is unable to combine Rule 20D undergrounding projects with other roadway improvements. County of San Diego found that areas prone to the highest fire risks are not always within the planned roadway improvements or within the County's right-of-way. County of San Diego recommends modifying Rule 20D to cover all costs associated with undergrounding utilities and focus on undergrounding within existing public right-of-way.<sup>25</sup>

No Rule 20D projects have been formally initiated or completed since the inception of the program, and it is not feasible to increase participation in the Rule 20D program without substantially increasing ratepayer investments in the program. Further, as discussed above, the Commission should decide whether to approve ratepayer-funded investments in undergrounding electric lines or authorize less expensive solutions for mitigation of wildfire-related risks through existing processes and any future process created in accordance with SB 884.

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<sup>24</sup> Cal Advocates' comments on September 15, 2022.

<sup>25</sup> County of San Diego comments on September 15, 2022.

It is reasonable to discontinue the Rule 20D program. No new Rule 20D work credits will be allocated as of the effective date of this decision.

County of San Diego caveated its position on Rule 20D discontinuation on the ability to convert Rule 20D work credits to Rule 20A work credits. County of San Diego did not provide a justification for why it would be reasonable to convert Rule 20D work credits to Rule 20A work credits.<sup>26</sup>

SDG&E supported eliminating Rule 20D with no conversion of work credits to Rule 20A work credits. SDG&E argues that conversion of Rule 20D work credits to Rule 20A work credits would be inequitable because not all communities within SDG&E's territory received Rule 20D work credits. SDG&E also commented that it did not expect discontinuation of the program to affect its GRC Phase 1 requests because it had not requested funding for Rule 20D through a GRC Phase 1 proceeding.<sup>27</sup>

It is reasonable to not convert Rule 20D work credits to Rule 20A work credits. All Rule 20D work credits that are not committed to a specific project as of the effective date of this decision shall be deemed expired.

#### **4. Equity and Environmental and Social Justice**

The February 2020 Staff Proposal found deep inequities in Rule 20A program spending and recommended discontinuation of the program.

Undergrounding for aesthetic purposes in localized areas benefits few ratepayers at the expense of the many. While society at large may benefit from the reduction of overhead facilities in scenic viewsheds, it is not a sustainable or equitable proposition to continue placing the burden on ratepayers at large. Undergrounding of overhead infrastructure can be conducted when desired by local

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<sup>26</sup> County of San Diego comments on March 2, 2023.

<sup>27</sup> SDG&E's comments on September 15, 2022.

communities, but costs should be primarily borne by those who will benefit directly from the projects.<sup>28</sup>

The February 2020 Staff Proposal found that while 83 eligible communities did not complete a single project between 2005 and 2018, utilities spent over \$50 million of ratepayer funds on Rule 20A projects in each of the following seven communities during that period: City and County of San Francisco (\$174,194,533); City of San Diego (\$123,959,969); Unincorporated Los Angeles County (\$80,199,098); Unincorporated San Diego County (\$66,219,539); City of Long Beach (\$66,113,635); City of Oakland (\$59,290,182); and City of San Jose (\$54,445,341). The Staff Proposal considered the eligible communities that had not completed a project since 2004 as “historically underserved” by the Rule 20A program.<sup>29</sup>

The February 2020 Staff Proposal proposed to sunset the Rule 20A program in two steps:

- First, stop the issuance of work credit allocations. Communities may use accrued work credits to complete existing projects.
- Second, any unused work credits after a ten-year period will expire.<sup>30</sup>

The Phase 1 Decision discontinued the issuance of Rule 20A work credits as of December 31, 2022, but declined to establish a wind-down period or deadline for the use of Rule 20A work credits at that time. In D.21-06-013, the Commission determined that it would consider whether to modify the Rule 20A program to support projects in underserved and disadvantaged communities in

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<sup>28</sup> February 2020 Staff Proposal at 21-22.

<sup>29</sup> February 2020 Staff Proposal at 14-15.

<sup>30</sup> February 2020 Staff Proposal at 32.

Phase 2 of this proceeding. The scoping memo for Phase 2 included the broader issue of whether to modify the Rule 20 program to support future projects in underserved, tribal, and/or disadvantaged communities or otherwise advance the goals of the Commission's ESJ Action Plan 2.0.

The ALJ ruling, issued on December 7, 2022, also asked parties for comments on how to define underserved communities and disadvantaged communities.

Cal Advocates proposed using the definition of "ESJ Community" from the ESJ Action Plan 2.0, which includes all of the following communities, to ensure consistency and alignment with the ESJ Action Plan 2.0.<sup>31</sup>

- a. Disadvantaged Communities, defined as census tracts that score in the top 25 percent of CalEnviroScreen 3.0, along with those that score within the highest 5 percent of CalEnviroScreen 3.0's Pollution Burden but do not receive an overall CalEnviroScreen score;
- b. All federally-recognized tribal lands;
- c. Low-income households (meaning households with incomes below 80 percent of the area median income); and
- d. Low-income census tracts (meaning census tracts where aggregated household incomes are less than 80 percent of area or state median income).

Cal Advocates also proposed to define an "underserved community" as a community that has never completed a project through the Rule 20A program.<sup>32</sup>

RCRC proposed that the Commission adopt definitions of disadvantaged communities and underserved communities that would include all ESJ

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<sup>31</sup> Cal Advocates comments on September 15, 2022.

<sup>32</sup> Cal Advocates comments on September 15, 2022.

Communities as well as locations with lower historical levels of energy reliability.<sup>33</sup>

It is reasonable to adopt the definition of ESJ Community from the ESJ Action Plan 2.0 for consistency and alignment with the action plan.

The definition of an underserved community should be based upon the historical inequities of Rule 20A program expenditures. However, communities that completed a project several decades ago should still be considered underserved by the program. Underserved Community should be defined as any city, unincorporated county, or tribal jurisdiction that has not completed a Rule 20A project since 2004.

Parties generally did not offer suggestions for modifying Rule 20A to increase future participation of ESJ Communities or Underserved Communities in the Rule 20A program. A few parties offered the following informative comments.

PG&E commented that the Rule 20A program rules should be modified to include tribes as eligible to receive Rule 20A work credits.<sup>34</sup>

County of San Diego's comments on the challenges with developing Rule 20D projects in high fire threat areas illuminated the challenges Underserved Communities may have with implementing Rule 20A projects. As discussed in Section 3.3 above, County of San Diego explained that it had not completed any Rule 20D projects due to the program requirements to form an undergrounding utility district and the additional costs of undergrounding that

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<sup>33</sup> RCRC's comments on September 15, 2022.

<sup>34</sup> PG&E's comments on September 15, 2022.

are not covered by ratepayers, such a right-of-way acquisition and environmental analysis.<sup>35</sup>

Cal Advocates argued that the best solution for advancing equity and reducing the impact of Rule 20A on rising rates is to sunset the Rule 20A program. Cal Advocates argued that it is not feasible to increase participation of Underserved Communities, which tend to be smaller communities, because larger communities are more likely to be able to dedicate greater internal staff and outside consulting services to help them plan for Rule 20A projects. Cal Advocates urged the Commission to discontinue the Rule 20A program to provide relief to California ratepayers.<sup>36</sup>

We agree with Cal Advocates' arguments about the barriers to participation for Underserved Communities. We also note that the February 2020 Staff Proposal identified an additional Rule 20A barrier for small communities. The Rule 20A work credit allocation methodology resulted in smaller communities accruing insufficient work credits to complete a project.<sup>37</sup>

The Commission's ESJ Action Plan 2.0 includes a new emphasis on considering "rate burdens" on low-income communities. The action plan states that "Continuing to assess the cumulative impact of rates on households and working to mitigate these impacts on the most burdened households will remain a priority in all actions the [Commission] takes."<sup>38</sup>

The best way to address the inequities of the Rule 20A program and advance the Commission's ESJ Action Plan 2.0 is to discontinue the Rule 20A

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<sup>35</sup> County of San Diego comments on September 15, 2022.

<sup>36</sup> Cal Advocates' comments on September 15, 2022.

<sup>37</sup> February 2020 Staff Proposal at 29.

<sup>38</sup> The Commission's ESJ Action Plan 2.0 at 4 and 22.



program. Any Rule 20A work credit that has not been allocated to a community with an Active Rule 20A Project within two years of the effective date of this decision shall be deemed expired. An Active Rule 20A Project shall be defined as a project with a signed resolution that the utility has designated as either “active” or on “hold.” A Rule 20A project that a utility has designated as on “hold” is a project that was initiated but has stopped for an indeterminate amount of time due to the community possessing insufficient work credits to fund the entire project. Any Rule 20A work credit that has not been deducted from a community’s work credit balance by December 31, 2033 shall be deemed expired. Some Rule 20A projects may be completed after the December 31, 2033 deadline because utilities may deduct Rule 20A work credits from a community’s work credit balance prior to the actualization of the applicable project costs.

We will also update the utilities’ Rule 20A reporting requirements to reflect the discontinuation of the Rule 20A program and new work credit allocations. This decision updates utilities’ Rule 20A reporting requirements as follows: (a) utilities shall no longer be required to serve a Rule 20A Annual Statement in accordance with Ordering Paragraph 6 of D.73078 as of the effective date of this decision;<sup>39</sup> (b) utilities shall continue to serve Rule 20A Annual Updates in accordance with Ordering Paragraph 15 of D.21-06-013 to communities that have an Active Rule 20A Project until December 31, 2033; (c) utilities shall no longer serve Rule 20A Annual Updates in accordance with Ordering Paragraph 15 of D.21-06-013 to communities that do not have an Active

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<sup>39</sup> This requirement is outdated. The Rule 20A Annual Statements are reports of the new Rule 20A work credit allocations for the upcoming year that utilities must send to each local government. D.21-06-013 discontinued new Rule 20A work credit allocations, so there is no longer any information to report through the Rule 20A Annual Statements.

Rule 20A Project as of two years after the effective date of this decision;<sup>40</sup> and (d) utilities shall continue to serve Rule 20A Annual Reports in accordance with Ordering Paragraph 14 of D.21-06-013 until December 31, 2033, and these Rule 20A Annual Reports will include all work credit reallocations.

**5. Active Rule 20A Projects  
with Insufficient Work Credits**

In D.21-06-013, the Commission discontinued allocations of new Rule 20A work credits after December 31, 2022. The Commission recognized in D.21-06-013 that some active Rule 20A projects may have insufficient work credit balances and insufficient available community funding to support completion and concluded that Phase 2 of this proceeding should consider whether to take additional steps to support the completion of active Rule 20A projects that are located in underserved and/or disadvantaged communities.

In the scoping memo, the assigned Commissioner asked parties whether to prioritize disadvantaged and/or underserved communities for the reallocation of Rule 20A work credits, and whether there are barriers to conversion of Rule 20A projects with insufficient work credits to Rule 20B or Rule 20C projects. As discussed in Section 4 above, this decision adopted definitions for ESJ Communities and Underserved Communities for Rule 20A.

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<sup>40</sup> The Rule 20A Annual Updates required by D.21-06-013 are sent to local governments to provide the status of such community's Rule 20A projects and its work credits by April 1 each year. Utilities have no project status updates to report in a Rule 20A Annual Update to a community with no Active Rule 20A Projects. D.21-06-013 discontinued new Rule 20A work credit allocations, so there are no new work credit allocations to report to communities. Further, this decision provides that any Rule 20A work credit that has not been allocated to a community with an Active Rule 20A Project within two years of the effective date of this decision shall be deemed expired.

### 5.1. Reallocation of Rule 20A Work Credits

Section 2(c) of Rule 20A allows utilities to reallocate work credits from an inactive community to a community with an active project. Resolution E-4971 defined a community as “inactive” if it has not (i) formally adopted an undergrounding district ordinance which expires at completion of work within the district boundaries, (ii) started or completed construction of an undergrounding conversion project since 2011, or (iii) received Rule 20A allocations from the utility for only 5 years or fewer due to recent incorporation. While Resolution E-4971 defined what constitutes an inactive community, it did not expressly define what constitutes an active project. In Section 4 above, this decision defines Active Rule 20A Projects.

The scoping memo attached Table 1 below, which presented an Energy Division staff analysis of the aggregate work credit shortfall of active Rule 20A projects (Total Active Project Work Credit Shortfall) and the aggregate work credits accrued by inactive communities (Total Inactive Community Work Credits) for the service territories of PG&E, SCE, and SDG&E as of April 2022.

**Table 1:** Summary of Rule 20A Work Credit Short Shortfall and Inactive Community Work Credits (April 2022)<sup>41</sup>

Utility	Total Active Project Work Credit Shortfall	Total Inactive Community Work Credits
PG&E	\$397,700,987	\$77,417,347
SCE	\$5,539,689	\$63,860,438
SDG&E	\$92,792,582.79	\$7,437,903.40

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<sup>41</sup> The data in Table 1 was provided by PG&E, SCE, and SDG&E in response to an Energy Division data request.

The forecasted work credit shortfall is based on the utility's estimates as of April 2022, which may be subject to change. The source of the Total Inactive Community Work Credits was the 2022 Active and Inactive Community Work Credit Balance Lists submitted by PG&E, SCE, and SDG&E in accordance with D.21-06-013, Ordering Paragraphs 3(b) and 3(c).

Table 1 above shows an approximately \$320 million work credit shortfall for active projects in PG&E territory and an approximately \$85 million work credit shortfall for active projects in SDG&E territory.

Several parties generally opposed reallocation of work credits from inactive communities to active Rule 20A projects. RCRC and Cal Cities each argued that communities who were not interested in Rule 20A in the past may become interested if the Commission adds wildfire-related purposes to the project eligibility criteria.<sup>42</sup> Since this decision declines to add wildfire-related purposes to Rule 20A, RCRC's argument is no longer relevant. City of Laguna Beach and CSAC recommended allowing inactive communities to redirect their accumulated work credits to other types of Rule 20 projects.<sup>43</sup> However, because parties such as CSAC also simultaneously argued that it would be too burdensome for communities to complete projects using Rule 20B and Rule 20C,<sup>44</sup> this argument is not persuasive.

PG&E commented that if the Commission decides not to authorize new Rule 20A work credit allocations, the Commission should redefine "inactive community" so that more work credits would be available for reallocation.

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<sup>42</sup> RCRC's comments on September 13, 2022 and Cal Cities comments on September 15, 2022.

<sup>43</sup> City of Laguna Beach's comments on September 15, 2022 and CSAC's comments on September 26, 2022.

<sup>44</sup> CSAC's comments on September 26, 2022

PG&E proposed to define an inactive community as a community with insufficient work credits to complete a Rule 20A project for the minimum distance of 600 feet or one block.<sup>45</sup>

Cal Advocates opposed reallocation of work credits, except to active Rule 20A projects in ESJ communities that have never completed a Rule 20A project. Cal Advocates argued that the Commission should immediately sunset the Rule 20A program and limit reallocations of work credits to combat rising electric rates and address historical inequitable distribution of Rule 20A funds.<sup>46</sup>

SDG&E commented that it does not have any active projects located in a disadvantaged community.<sup>47</sup> Liberty and PacifiCorp also commented that they do not have any Rule 20A projects in disadvantaged communities.<sup>48</sup>

We agree with Cal Advocates that our approach to addressing active Rule 20A projects should protect ratepayers from higher Rule 20A program costs and counteract the historical inequitable distribution of Rule 20A funds. We also acknowledge that some utilities may not have any active Rule 20A projects located in an ESJ Community or an Underserved Community.

Utilities should prioritize reallocation of work credits (pursuant to Section 2(c) of Rule 20A) from inactive communities to Active Rule 20A Projects with insufficient work credits such that the reallocation of such work credits is prioritized first to either (1) Active Rule 20A Projects located in Underserved Communities or (2) Active Rule 20A projects where at least 50 percent of the main line trench distance will be located within ESJ Community census tract(s).

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<sup>45</sup> PG&E's comments on September 15, 2022.

<sup>46</sup> Cal Advocates' comments on September 15, 2022.

<sup>47</sup> SDG&E's comments on September 15, 2022.

<sup>48</sup> Liberty Utilities and PacifiCorp's joint comments on September 15, 2022.

An ESJ Community census tract should be defined as a census tract that meets one of the following criteria: (i) scores in the top 25 percent of CalEnviroScreen 4.0, along with those that score within the highest 5 percent of CalEnviroScreen 4.0's Pollution Burden but do not receive an overall CalEnviroScreen score; (ii) located in any federally-recognized tribal lands; or (iii) where aggregated household incomes are less than 80 percent of area or state median income.

Each utility shall file a Tier 2 advice letter to make a consolidated proposal of reallocations of Rule 20A work credits within 18 months of the effective date of this decision. In the alternative, a utility may file a Tier 1 advice letter to inform the Commission that it will not make any reallocations of work credits during the remainder of the Rule 20A program.

This decision does not increase the number of Rule 20A work credits available for reallocation or otherwise increase the ratepayer funding available for Rule 20A projects.

## **5.2. Community Contributions to Rule 20A Projects**

The scoping memo asked parties to comment on whether there are barriers to communities making contributions to Rule 20A projects with insufficient work credits or converting these projects to Rule 20B or Rule 20C projects, which require communities or individuals to pay for most of the project costs.

RCRC, Cal Cities, CSAC, and County of San Diego each commented that the main barrier to conversion of a Rule 20A project to a Rule 20B or a Rule 20C project is the lack of local funding for these projects.<sup>49</sup> As discussed in Section 5.1

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<sup>49</sup> RCRC's comments on September 13, 2022; Cal Cities comments on September 15, 2022; CSAC's comments on September 26, 2022; and County of San Diego's comments on September 15, 2022.

above, this decision does not authorize additional ratepayer funding for Rule 20A projects.

SDG&E commented that communities that have insufficient work credits to fund a Rule 20A project may enter into an agreement with SDG&E for the community to fund all portions of the project that exceed available work credits. Alternatively, they may create a separate project that can be funded through Rule 20B or Rule 20C, with separate resolutions to properly account for project cost and subsidies.<sup>50</sup>

SCE commented that its approach to Rule 20A projects that do not have sufficient work credits has been to (a) propose a reduced scope of work that fits within available work credit balance, or (b) define a separate scope of work for a Rule 20A portion and a Rule 20B portion of the project. When separate scopes of work are defined for Rule 20A and 20B projects, SCE estimates the scope of the Rule 20A portion very conservatively given the stream of annual work credits and mortgaging limitations. SCE commented that it would prefer to be able to give communities the option to contribute financially to a Rule 20A project that exceeds the Rule 20A work credit balance instead of carving out separate Rule 20A and Rule 20B scopes of work.<sup>51</sup>

This decision clarifies that utilities should give communities the option to contribute financially to a Rule 20A project that has insufficient work credits for completion.

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<sup>50</sup> SDG&E's comments on September 15, 2022.

<sup>51</sup> SCE's comments on September 15, 2022.

## **6. Summary of Public Comment**

Rule 1.18 of the Rules of Practice and Procedure (Rules) allows any member of the public to submit written comment in any Commission proceeding using the “Public Comment” tab of the online Docket Card for that proceeding on the Commission’s website. Rule 1.18(b) requires that relevant written comment submitted in a proceeding be summarized in the final decision issued in that proceeding.

The relevant Public Comments on the Docket Card include comments about how to define disadvantaged communities, whether or how to reallocate Rule 20A work credits, and wildfire-related undergrounding projects.

## **7. Comments on Proposed Decision**

The proposed decision of President Alice Reynolds in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission’s Rules of Practice and Procedure. Comments were filed on May 25, 2023 by PG&E, SCE, SDG&E, Cal Advocates, and the City of Oakland, and reply comments were filed on June 1, 2023 by Cal Advocates, City of Oakland, PG&E, SCE, SDG&E, and TURN.

PG&E recommended that the Commission modify the Rule 20A work credit reallocation priority criteria to allow a utility to treat a Rule 20A project as an ESJ Community priority project so long as at least 50 percent of the project, measured by main line trench distance, is located in ESJ census tracts. We revised this decision accordingly to increase the likelihood that projects in ESJ Communities will be completed.



PG&E also requested that the Commission define ESJ Communities based on CalEnviroScreen 4.0 instead of version 3.0, consistent with annual reporting requirements. We revised this decision accordingly.

PG&E urged the Commission to allow utilities to prioritize the completion of Active Rule 20A Projects that are “in flight” and are not located within Underserved Communities or ESJ Communities. City of Oakland requested to borrow-forward additional work credits for a Rule 20A project despite the project not qualifying for prioritization under this decision.

Cal Advocates argued that only ESJ Communities and Underserved Communities should be eligible for reallocation of Rule 20A work credits to address the historical inequities of the Rule 20A program. Cal Advocates opposed the City of Oakland’s request for additional work credits as seeking to relitigate the Phase 1 decision in this proceeding and undermine this decision’s reallocation priority process.

TURN also opposed PG&E’s and City of Oakland’s requests, arguing that these requests would undermine the ratepayer benefits of the proposed decision and continue the historical inequities of the Rule 20A program.

We revised this decision to modify the reallocation priority criteria to prioritize Active Rule 20A Projects in Underserved Communities and ESJ Communities equally, rather than prioritizing projects in Underserved Communities over projects in ESJ Communities. This will allow utilities to prioritize ESJ Community projects that are ready to break ground over Underserved Community projects that are on hold.

PG&E and SCE requested flexibility to continue to reallocate Rule 20A work credits until the sunset of the program at the end of 2033. PG&E and SCE raised concerns about the work credit balances of communities with Active Rule

20A projects expiring within a year of this decision. SCE and SDG&E also requested an additional year to reallocate work credits from inactive communities to Active Rule 20A Projects, arguing that it will take more time to work with communities to identify the best projects for reallocation. TURN opposed the requests for flexibility to reallocate work credits throughout the sunset period.

We revised this decision to provide that work credits that are not allocated to community with an Active Rule 20A Project within two years of the effective date of this decision will be deemed expired.

Cal Advocates recommended that the Commission direct the utilities to file advice letters to identify the specific communities and projects that would be eligible for reallocation in each IOU's service territory, pursuant to the prioritization of ESJ and underserved communities.

We agree that reallocations of work credits should be made in a transparent way. We revised this decision to direct each utility to file a Tier 2 advice letter within 18 months of the effective date of this decision to propose reallocations to Active Rule 20A Projects in accordance with the reallocation prioritization requirements of this decision. Alternatively, a utility may file a Tier 1 advice letter to confirm that it will not make any reallocations throughout the remainder of the Rule 20A program.

For purposes of understanding the impact of the deadline for the expiration of Rule 20A work credits at the end of 2033, PG&E requested that the Commission clarify whether Rule 20A project costs must be actualized before they are deducted from a community's work credit balance. We clarified in this decision that a utility may deduct a Rule 20A work credit from a community's work credit balance prior to the actualization of the associated project cost.

## **8. Assignment of Proceeding**

President Alice Reynolds is the assigned Commissioner and Stephanie Wang is the assigned Administrative Law Judge in this proceeding.

### **Findings of Fact**

1. Local governments have valuable knowledge of the wildfire-related needs of their communities.
2. The Commission and OEIS have existing processes that are more appropriate than the Rule 20 program for considering whether to approve ratepayer-funded investments in wildfire-related undergrounding or more cost-efficient measures.
3. SB 884 requires the creation of an additional process for the Commission and OEIS to review ratepayer-funded investments in undergrounding electric lines to mitigate wildfire-related risks.
4. In D.20-06-017, the Commission ordered PG&E, SCE, and SDG&E to conduct Semi-Annual Local/Tribal Workshops that must include a discussion of utilities' electric transmission and distribution infrastructure investment plans.
5. No Rule 20D projects have been formally initiated or completed since the inception of the program.
6. It is not feasible to increase participation in the Rule 20D program without substantially increasing ratepayer investments in the program.
7. The Rule 20A program undergrounds power lines for aesthetic purposes in localized areas and benefits few ratepayers at the expense of the many ratepayers.
8. Eighty-three communities eligible for the Rule 20A program failed to complete a single project between 2005 and 2018.

9. Utilities spent over \$50 million of ratepayer funds on Rule 20A projects in each of the following seven communities between 2005 and 2018: City and County of San Francisco (\$174,194,533); City of San Diego (\$123,959,969); Unincorporated Los Angeles County (\$80,199,098); Unincorporated San Diego County (\$66,219,539); City of Long Beach (\$66,113,635); City of Oakland (\$59,290,182); and City of San Jose (\$54,445,341).

### **Conclusions of Law**

1. Local and tribal governments should have the opportunity to provide input on large electric utilities' wildfire-related undergrounding plans on a regular basis.
2. It is reasonable for the Commission to retain its authority to decide whether to approve ratepayer-funded investments in undergrounding electric lines or authorize less expensive solutions for mitigation of wildfire-related risks.
3. It is reasonable to not add wildfire-related project eligibility criteria to Rule 20A.
4. The Commission should leverage an existing local and tribal consultation process to minimize administrative costs.
5. It is reasonable to direct PG&E, SCE, and SDG&E to include the following agenda items in each of its Semi-Annual Local/Tribal Workshops: (a) briefing about the utility's wildfire-related transmission and distribution investment plans, including plans for potential undergrounding project locations that are not final; and (b) opportunity for local and tribal governments to share their priority sites for wildfire-related undergrounding projects.
6. It is reasonable to discontinue the Rule 20D program.
7. No new Rule 20D work credits should be allocated as of the effective date of this decision.

8. It is reasonable to not convert Rule 20D work credits to Rule 20A work credits.

9. All outstanding Rule 20D work credits that are not committed to a specific project as of the effective date of this decision should be deemed expired.

10. The Commission should adopt the definition of ESJ Community from the Commission's ESJ Action Plan 2.0 for the Rule 20A program.

11. The Commission should define Underserved Community as any city, unincorporated county, or tribal jurisdiction that has not completed a Rule 20A project since 2004.

12. It is reasonable to discontinue the Rule 20A program.

13. Any Rule 20A work credit that has not been allocated to a community with an Active Rule 20A Project within two years of the effective date of this decision should be deemed expired.

14. An Active Rule 20A Project should be defined as a project with a signed resolution that the utility has designated as either "active" or on "hold."

15. A Rule 20A project that a utility has designated as on "hold" is a project that was initiated but has stopped for an indeterminate amount of time due to the community possessing insufficient work credits to fund the entire project.

16. Any Rule 20A work credit that has not been deducted from a community's work credit balance by December 31, 2033 should be deemed expired.

17. The Commission should update utilities' Rule 20A reporting requirements as follows: (a) utilities shall no longer be required to serve a Rule 20A Annual Statement in accordance with Ordering Paragraph 6 of D.73078 as of the effective date of this decision; (b) utilities shall continue to serve Rule 20A Annual Updates in accordance with Ordering Paragraph 15 of D.21-06-013 to communities that have an Active Rule 20A Project until December 31, 2033;

(c) utilities shall no longer serve Rule 20A Annual Updates in accordance with Ordering Paragraph 15 of D.21-06-013 to communities that do not have an Active Rule 20A Project as of two years after the effective date of this decision; and (d) utilities shall continue to serve Rule 20A Annual Reports in accordance with Ordering Paragraph 14 of D.21-06-013 until December 31, 2033, and these Rule 20A Annual Reports will include all work credit reallocations.

18. Utilities should give communities the option to contribute financially to a Rule 20A project that has insufficient work credits for completion. Utilities should prioritize reallocation of work credits (pursuant to Section 2(c) of Rule 20A) from inactive communities to Active Rule 20A Projects with insufficient work credits such that the reallocation of such work credits is prioritized first to either (1) Active Rule 20A Projects located in Underserved Communities or (2) Active Rule 20A projects where at least 50 percent of the main line trench distance will be located within ESJ Community census tract(s).

19. An ESJ Community census tract should be defined as a census tract that meets one of the following criteria: (i) scores in the top 25% of CalEnviroScreen 4.0, along with those that score within the highest 5% of CalEnviroScreen 4.0's Pollution Burden but do not receive an overall CalEnviroScreen score; (ii) located in any federally-recognized tribal lands; or (iii) where aggregated household incomes are less than 80 percent of area or state median income. Each utility should file a Tier 2 advice letter to make a consolidated proposal of reallocations of Rule 20A work credits, or file a Tier 1 advice letter to inform the Commission that it will not make any reallocations of work credits during the remainder of the Rule 20A program, within 18 months of the effective date of this decision.

20. It is reasonable to not increase the number of Rule 20A work credits available for reallocation or otherwise increase ratepayer funding available for Rule 20A projects.

21. This proceeding should be closed.

## **O R D E R**

### **IT IS ORDERED** that:

1. Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company shall each file a Tier 1 advice letter within 30 days of the effective date of this decision to confirm that it will include the following items in the agenda of each semi-annual local and tribal workshop held in compliance with Decision 20-06-017: (a) briefing about the utility's wildfire-related transmission and distribution investment plans, including plans for potential undergrounding project locations that are not final; and (b) opportunity for local and tribal governments to share their priority sites for wildfire-related undergrounding projects.

2. San Diego Gas & Electric Company shall not allocate any new Electric Rule 20D work credits as of the effective date of this decision.

3. San Diego Gas & Electric Company shall file a Tier 1 advice letter within 30 days of the effective date of this decision to do all of the following: (a) modify its Electric Rule 20D (Rule 20D) tariff to state that any Rule 20D work credit that is not committed to a Rule 20D project that the utility has deemed as "active" as of the effective date of this decision is deemed expired; (b) confirm that there are no Rule 20D projects with a signed resolution that the utility has deemed as "active" as of the effective date of this decision; (c) confirm that all outstanding Rule 20D work credits are expired as of the effective date of this decision; and (d) modify

its Rule 20 Program Guidebook to reflect the conclusion of the Rule 20D program.

4. Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Bear Valley Electric Service Company, Liberty Utilities, and PacifiCorp shall each file a Tier 1 advice letter within 30 days of the effective date of this decision to modify its Electric Rule 20A (Rule 20A) tariff and its Electric Rule 20 Program Guidebook to provide as follows:

- (a) An Active Rule 20A Project shall be defined as a project with a signed resolution that the utility has designated as either “active” or on “hold.”
- (b) A Rule 20A project that a utility has designated as on “hold” is a project that was initiated but has stopped for an indeterminate amount of time due to the community possessing insufficient work credits to fund the entire project.
- (c) Any Rule 20A work credit that has not been allocated to a community with an Active Rule 20A Project within two years of the effective date of this decision shall be deemed expired.
- (d) Communities shall have the option to contribute financially to any Rule 20A project that has insufficient work credits for completion.
- (e) Any Rule 20A work credit that has not been deducted from a community’s work credit balance by December 31, 2033 shall be deemed expired.
- (f) The utility shall prioritize reallocation of work credits (pursuant to Section 2(c) of Rule 20A) from inactive communities to Active Rule 20A Projects with insufficient work credits such that the reallocation of such work credits is made first to either (1) Active Rule 20A Projects located in a city, unincorporated county, or tribal jurisdiction that has not completed a Rule 20A project



since 2004 or (2) Active Rule 20A Projects where at least 50 percent of the main line trench distance will be located within Environmental and Social Justice Community census tract(s). An Environmental and Social Justice Community census tract shall be defined as a census tract that meets one of the following criteria: (i) scores in the top 25 percent of CalEnviroScreen 4.0, along with those that score within the highest 5 percent of CalEnviroScreen 4.0's Pollution Burden but do not receive an overall CalEnviroScreen score; (ii) located in any federally-recognized tribal lands; or (iii) where aggregated household incomes are less than 80 percent of area or state median income.

5. Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Bear Valley Electric Service Company, Liberty Utilities, and PacifiCorp shall each file a Tier 2 advice letter within 18 months of the effective date of this decision to propose reallocations of Electric Rule 20A work credits in accordance with Ordering Paragraph 4 above. Each utility may only file one Tier 2 advice letter that contains a consolidated list of proposed reallocations of work credits. If a utility does not intend to make any reallocations of Electric Rule 20A work credits, the utility may file a Tier 1 advice letter to notify the Commission that it will not make any reallocations of work credits during the remainder of the Electric Rule 20A program. Each Tier 2 advice letter must contain the following information:

- (a) A detailed narrative explanation of the utility's overall reallocation prioritization process, including an explanation of how the utility's prioritization methodology for selecting projects complies with this decision;
- (b) An accounting of all inactive communities and final work credit balances to be reallocated, with totals; and

- (c) An accounting of all projects that will receive a reallocation of Rule 20A work credits in the form of a template to be provided by the Commission's Energy Division, including: (i) the information in Attachment A; (ii) how many work credits will be reallocated to the eligible project; and (iii) a short explanation of why the project was selected for reallocation.

6. Rulemaking 17-05-010 is closed.

This order is effective today.

Dated June 8, 2023, at San Francisco, California.

ALICE REYNOLDS

President

GENEVIEVE SHIROMA

DARCIE L. HOUCK

JOHN REYNOLDS

KAREN DOUGLAS

Commissioners

**Attachment A:**  
**Required Information Regarding Proposed Projects for Reallocation of**  
**Rule 20A Work Credits**

The Commission's Energy Division will provide a template for an accounting of proposed projects for reallocation of work credits. The template will include, at minimum, the following required information.

- Project Sponsor
- Other Project Sponsors
- County
- City
- Utility Undergrounding District
- Project Name/Identifier
- Project Address (Street, City, ZIP Code)
- Applicant Type
- Project Status (Active/Hold)
- Project Stage (Planning, Estimating/Design, Construction, Closing)
- Trench Length (ft)
- Length, Estimated or Design
- Project Cost (Actual, Non-Adjusted)
- Actual Cost/ Current Estimated At Completion
- Current/ Actual Cost per foot
- Line Footage of Primary UG Circuit
- Project Spend to Date
- Joint Trench Participants
- Public Interest Criteria Met By Project
- Percent of Underground Miles in Underserved/ESJ Community by Main Line Trench Distance

- Project in Urban/Urban Cluster/Rural (Defined in the American Community Survey)
- Work Credit Reallocation for this Specific Project

**(END OF ATTACHMENT A)**



# GIS MAP - Carmel-by-the-Sea - Underground Utility District 1



- City Limit
- Parcels
- County Parcels

**Underground Utility District 1**  
Located on the west side of Ocean Ave from San Antonio Ave west approximately 800' to the end of the parking lot at the Del Mar Beach Entrance.

Attachment 3

**EXHIBIT 1**  
**PAGE 1 OF 2**

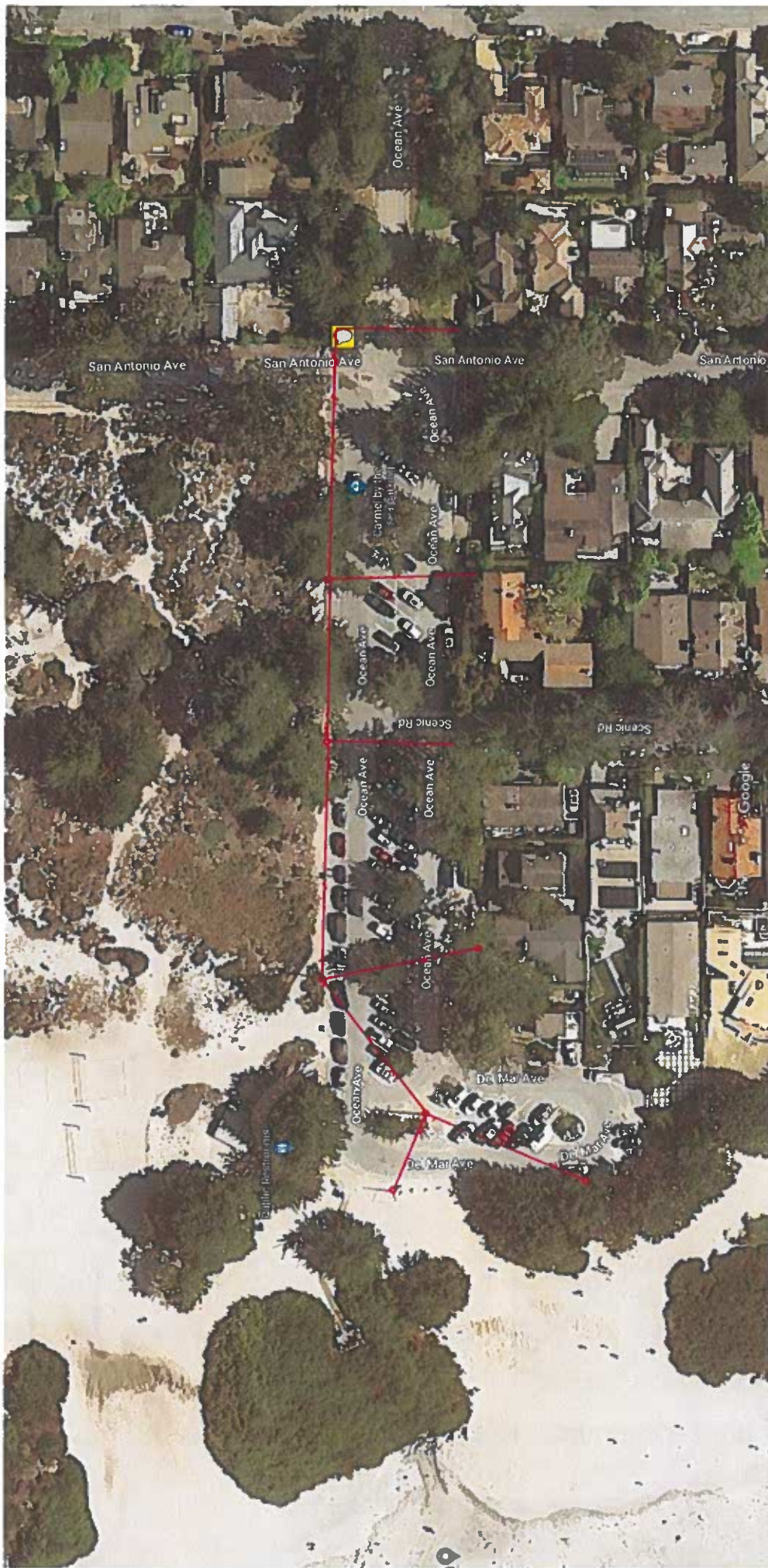


50 m  
300 ft



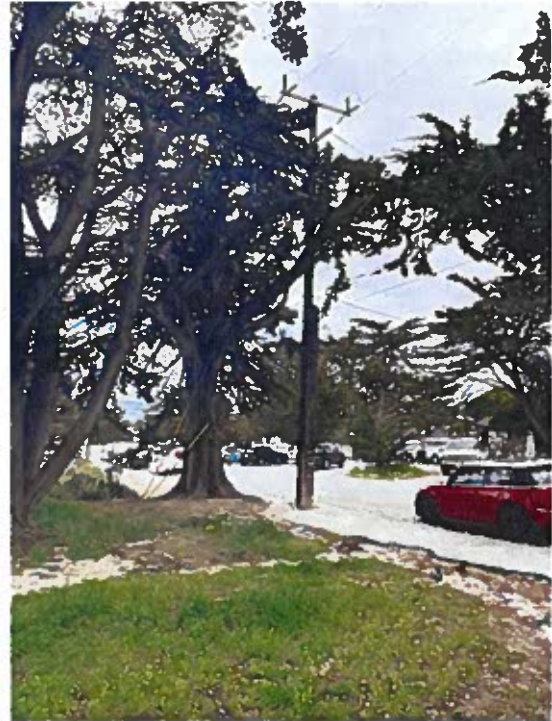






+/- 8 Poles  
+/- 800 LF





Potential undergrounding from San Antonio west to end of Ocean

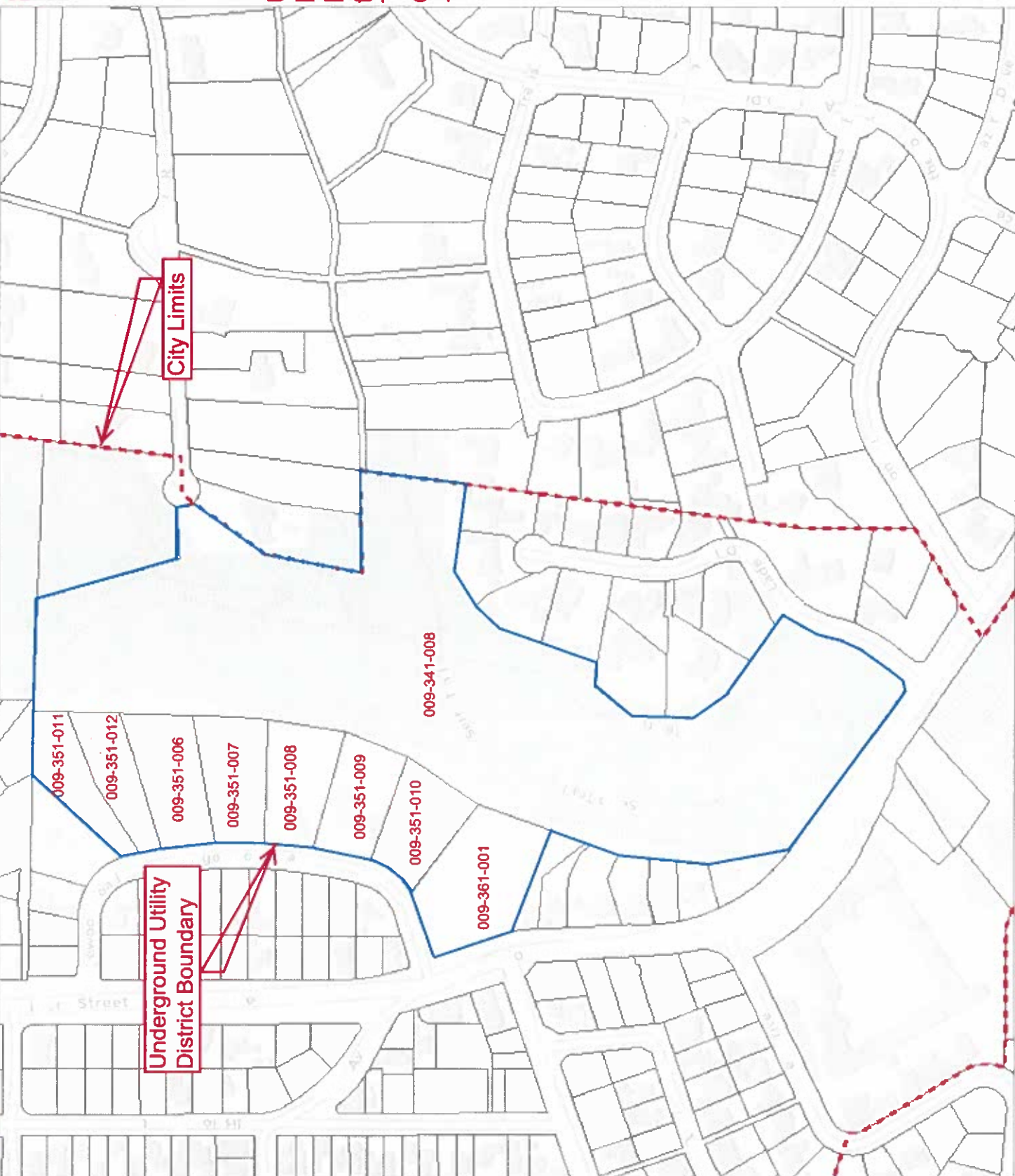




# GIS MAP - Carmel-by-the-Sea - Underground Utility District 2



City Limit  
Parcels  
County Parcels



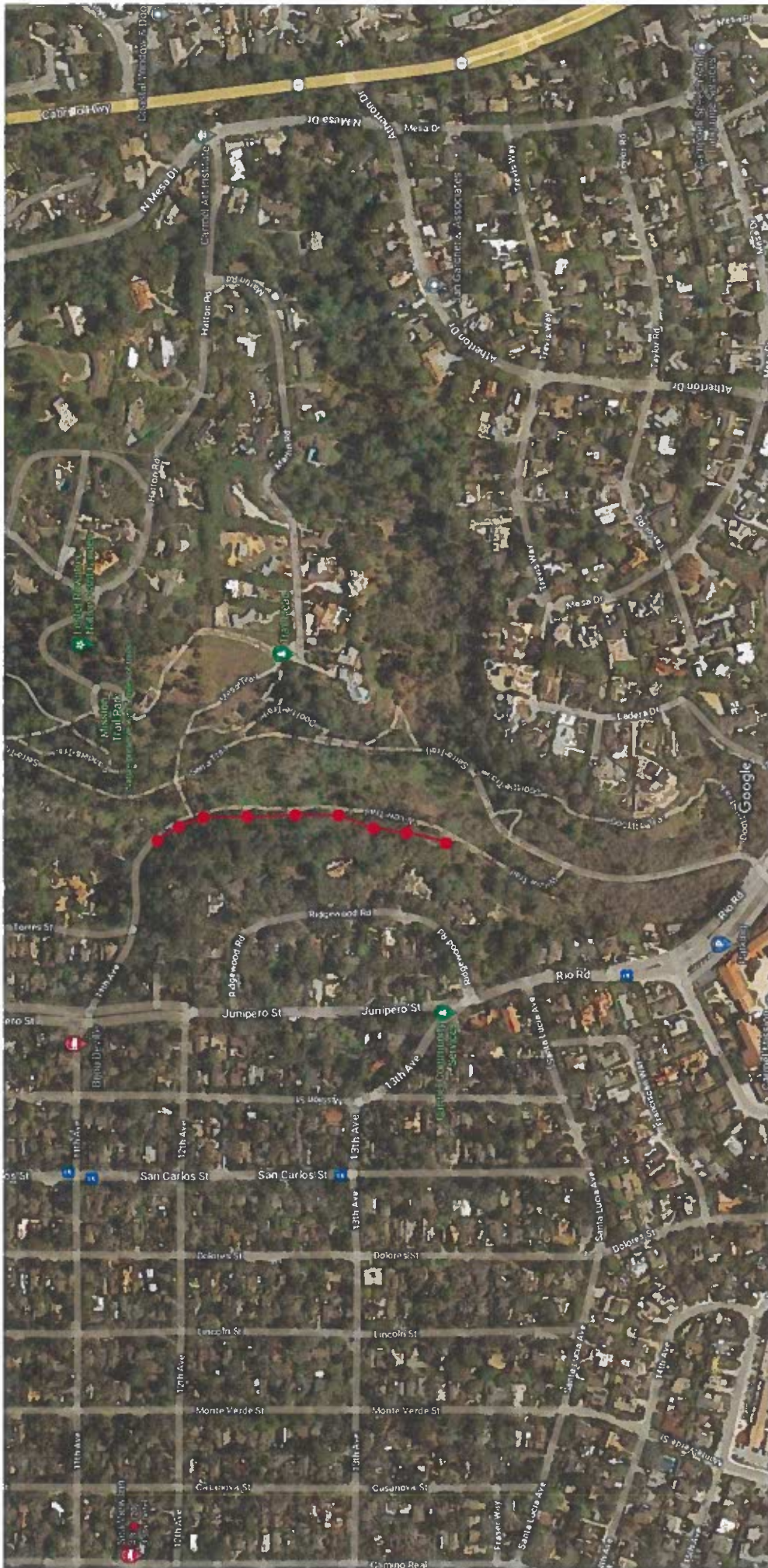
**Underground Utility District 2**  
Located at MTNP, on the west side of Willow Trail from the Entrance Gate at 11th Ave south +/-1,100'

Attachment 3

**EXHIBIT 2**  
**PAGE 2 OF 2**







Imagery ©2023 AKBAG, Data ©2018 SBNL, CA, OPC, Measur Technologies, US&A/FAC/REG, Map data ©2023 200 H

+/- 9 Poles  
+/- 1,100 LF





Potential undergrounding at MTP, Willow Trail from 11<sup>th</sup> Ave South

## Chapter 13.28

# UNDERGROUND UTILITIES\*

Sections:

**13.28.010 Definitions.**

**13.28.020 Replacement With Overhead Facilities Prohibited.**

**13.28.030 Public Hearing by Council.**

**13.28.040 Designation by Resolution.**

**13.28.050 Unlawful to Maintain Overhead Wires.**

**13.28.060 Overhead Wires – Exceptions by Special Permission.**

**13.28.070 Overhead Wires, Poles, Structures – Exceptions.**

**13.28.080 Notice to Property Owners and Utility Companies.**

**13.28.090 Responsibility of Utility Companies.**

**13.28.100 Disconnection and Removal Authority.**

**13.28.110 Obligation of City.**

**13.28.120 Extension of Time Limitation.**

\* Prior legislation: Ord. 92-3, 1992; Ord. 79-21 § 22, 1979; Ord. 84 C.S. § 1, 1963; Code 1975 § 1409.05.

### **13.28.010 Definitions.**

Whenever in this chapter the words or phrases in this section are used, they shall have the respective meanings assigned to them in the following definitions:

A. “City” means the City of Carmel-by-the-Sea, a municipal corporation of the State of California, in its present incorporated form or in any later reorganized, consolidated, enlarged or reincorporated form.

B. “Commission” means the Public Utilities Commission of the State of California.

C. “Council” means the City Council of the City of Carmel-by-the-Sea.

D. "Person" shall mean and include any individual, firm, corporation, copartnership, or their agents and employees.

E. "Poles and overhead wires and associated overhead structures" shall mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cut-outs, switches, communication circuits, appliances, attachments, and appurtenances located aboveground, and used or useful in supplying electric, communication, or similar or associated services.

F. "Underground utility district" or "district" shall mean that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such areas are described in one or more resolutions which may, from time to time, be adopted pursuant to the provisions of CMC [13.28.040](#).

G. "Utility" includes all persons or entities supplying electric, communication, or similar or associated services by means of electrical materials or devices. (Ord. 92-3 § 1, 1992; Ord. 84 C.S. § 1, 1963; Code 1975 §§ 1409.01, 1409.05).

#### **13.28.020 Replacement With Overhead Facilities Prohibited.**

All poles, wires and associated overhead structures installed underground, whether installed pursuant to a previously established undergrounding district or not, shall become subject to the terms of this chapter and shall not be replaced by new overhead facilities except as provided in CMC [13.28.060](#) and [13.28.070](#).

#### **13.28.030 Public Hearing by Council.**

The City Council may, from time to time, call public hearings to ascertain whether the public necessity, health, safety or welfare would be served by the establishment of an underground district to require the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the installation of replacement underground wires and facilities for supplying electric communication, television, or similar associated services. At least 10 calendar days prior to the date of said hearing the City Clerk shall notify by mail all affected utility companies and all affected property owners, as shown on the last equalized assessment roll, indicating the time and place of such hearing and shall provide said owners with a summary description of the proposed underground utility district. (Ord. 92-3 § 1, 1992; Ord. 84 C.S. § 1, 1963; Code 1975 § 1409.03).

#### **13.28.040 Designation by Resolution.**

If, after a public hearing, the City Council finds that the establishment of an underground district within a designated area is appropriate and that such a district would enhance the public health, safety or



welfare, the City Council may, by resolution, declare such designated area an underground utility district and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. The City Council shall allow a reasonable time for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby. The City Council may adopt resolutions for any and all areas of the City for which poles, wires and associated structures already have been undergrounded by past actions and, upon adoption, such designated areas shall be subject to the provisions of this chapter. Resolutions covering such designated areas previously undergrounded shall not require mailed public notice or a hearing. (Ord. 92-3 § 1, 1992; Ord. 84 C.S. § 1, 1963; Code 1975 § 1409.04).

#### **13.28.050 Unlawful to Maintain Overhead Wires.**

Whenever the City Council creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in this chapter, it shall be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to performance of such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in CMC [13.28.100](#) hereof, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter. (Ord. 92-3 § 1, 1992; Ord. 84 C.S. § 1, 1963; Code 1975 § 1409.05).

#### **13.28.060 Overhead Wires – Exceptions by Special Permission.**

The City Administrator or an authorized designee may grant special permission on such terms as may be deemed appropriate, in cases of emergency or unusual circumstances, to erect, construct, install, maintain, use or operate poles and overhead wires, and associated overhead structures, notwithstanding any other provisions of this chapter. The City Administrator may establish administrative regulations specifying such emergency or unusual circumstances including guidelines on when such exceptions are appropriate and conditions leading to the ultimate removal of overhead equipment when the exception has been granted on a temporary basis. (Ord. 92-3 § 1, 1992; Ord. 84 C.S. § 1, 1963; Code 1975 § 1409.06).

#### **13.28.070 Overhead Wires, Poles, Structures – Exceptions.**

This chapter and any resolution adopted pursuant to CMC [13.28.040](#) hereof shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

- A. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Administrator.
- B. Poles or electroliers used exclusively for street lighting, fire alarm boxes or emergency services.
- C. Overhead wires (exclusive of supporting structures) crossing any portion of a district within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a district, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.
- D. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixtures and extending from one location of the building to another location on the same building or to an adjacent building without crossing any public street.
- E. Antennae, associated equipment and supporting structures, used by a utility for furnishing communication services.
- F. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts when designed and installed in conformation with all City design standards contained in Chapters [12.04](#), [12.08](#) and [17.12](#) CMC.
- G. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects. (Ord. 92-3 § 1, 1992; Ord. 84 C.S. § 1, 1963; Code 1975 § 1409.07).

#### **13.28.080 Notice to Property Owners and Utility Companies.**

Within 10 days after the effective date of a resolution adopted pursuant to CMC [13.28.040](#) hereof, the City Clerk shall notify all affected utilities and all persons owning real property within the district created by said resolution of the adoption thereof. The City Clerk shall further notify such affected property owners of the necessity that, if they or any other person occupying such property desire to continue to receive electric, communication, television, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to applicable rules, regulations and tariffs of the respective utility or utilities on file with the commission and to the requirements of State laws and the municipal code of the City of Carmel-by-the-Sea. Notification by the City Clerk shall be made by mailing a copy of the resolution adopted pursuant to CMC [13.28.040](#), together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities. (Ord. 92-3 § 1, 1992; Ord. 84 C.S. § 1, 1963; Code 1975 § 1409.08).



### **13.28.090 Responsibility of Utility Companies.**

Attachment 4

If underground construction is necessary to provide utility service within a district created by any resolution adopted pursuant to CMC [13.28.040](#) hereof, the supplying utility shall furnish at its own expense that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the commission, including underground service facilities required to provide utility service to the affected properties but excluding those facilities that are the responsibility of the property owners as set forth below. New underground equipment installed flush with the surface of the ground shall not be placed within sidewalks or other pedestrian walking surfaces without approval by the City Administrator and conformance to City design standards.

### **13.28.100 Disconnection and Removal Authority.**

A. All conduits, conductors and associated equipment necessary to receive utility service between service conductors or underground pipe or conduit of the supplying utility and the service facilities in the building or structure being served shall be provided by the person owning, operating, leasing, or renting the property, subject to applicable rules, regulations and tariffs of the respective utility or utilities on file with the commission and to the lawful requirements of State laws and the municipal code of the City.

B. In the event the person owning, operating, leasing, or renting the property does not comply with the provisions of subsection (A) within the time provided for in the resolution adopted pursuant to CMC [13.28.040](#), the Director of Public Works shall post written notice on the property being served and 30 calendar days thereafter shall have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property.

C. Noncompliance by any person owning, operating, leasing or renting said property with the provisions of this section shall constitute a misdemeanor under CMC [13.28.050](#). Until such time as an order is issued pursuant to subsection (B), the supplying utility shall not be in violation of this chapter in continuing to maintain overhead facilities necessary to serve such person during the period of such noncompliance and such reasonable time thereafter as may be necessary to remove the same. (Ord. 92-3 § 1, 1992; Ord. 84 C.S. § 1, 1963; Code 1975 § 1409.10).

### **13.28.110 Obligation of City.**

The City shall remove its police and fire alarm circuits or any similar municipal equipment at its own expense from all poles required to be removed under this chapter in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution adopted pursuant to CMC [13.28.040](#). (Ord. 92-3 § 1, 1992; Ord. 84 C.S. § 1, 1963; Code 1975 § 1409.11).

### **13.28.120 Extension of Time Limitation.**

Attachment 4

In the event that any act required by this chapter or by a resolution adopted pursuant to CMC [13.28.040](#) cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation. (Ord. 92-3 § 1, 1992; Ord. 84 C.S. § 1, 1963; Code 1975 § 1409.12).

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The Carmel-by-the-Sea Municipal Code is current through Ordinance 2023-05, passed July 11, 2023.

Disclaimer: The city clerk's office has the official version of the Carmel-by-the-Sea Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://ci.carmel.ca.us/>

City Telephone: (831) 620-2000

[Code Publishing Company](#)



# CITY OF CARMEL-BY-THE-SEA

## CITY COUNCIL

### Staff Report

November 7, 2023  
PUBLIC HEARINGS

**TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Mary Bilse, Environmental Programs Manager

**APPROVED BY:** Chip Rerig, City Administrator

First Reading of Ordinance No. 2023-007 Amending the Carmel Municipal Code Title 17 (Zoning) by Repealing and Replacing Chapter 17.42 Stormwater Quality and Utility and Chapter 17.43 Water Quality Protection

**SUBJECT:**

**Recommendation:**

1. Request City Attorney to read Title of Ordinance; and
2. Waive the reading in full and introduce Ordinance No. 2023-007 Amending the Carmel Municipal Code Title 17 (Zoning) by Repealing and Replacing Chapter 17.42 Stormwater Quality and Utility and Chapter 17.43 Water Quality Protection; and
3. Set a second reading for December 5, 2023.

#### RECOMMENDATION:

1. Request City Attorney to read Title of Ordinance; and
2. Waive the reading in full and introduce Ordinance No. 2023-007 Amending the Carmel Municipal Code Title 17 (Zoning) by Repealing and Replacing Chapter 17.42 Stormwater Quality and Utility and Chapter 17.43 Water Quality Protection; and
3. Set a second reading for December 5, 2023.

#### BACKGROUND/SUMMARY:

One of the City Council's Top Strategic Priorities is to update the Carmel Municipal Code (CMC) regarding stormwater. The City's Public Works/Environmental Programs staff worked closely with the City Attorney's office to update the City's stormwater ordinances which were last updated in 2004. There have been significant changes in federal, state, and regional laws affecting stormwater and water quality, and the proposed update ensures compliance with current applicable laws.

This Staff Report introduces the proposed Ordinance, which would amend Chapters 17.42 and 17.43. The purpose of Chapter 17.42, "Stormwater Quality and Utility," is to protect and enhance the water quality of watercourses and waterbodies by reducing pollutants in stormwater discharges into the storm drain system. The purpose of Chapter 17.43, "Water Quality Protection," is to protect and enhance the coastal waters within the City in accordance to the policies of the City's Local Coastal Program and Post-Construction Stormwater Management Requirements for development projects in the Central Coast Region.

## **Chapter 17.42 “Stormwater Quality and Utility” and Chapter 17.43 “Water Quality Protection”**

Title 17, “Zoning,” of the CMC includes Chapter 17.42, “Stormwater Quality and Utility,” and Chapter 17.43, “Water Quality Protection” (as shown in **Attachment 1**). Chapter 17.42 and Chapter 17.43 were last amended in 2004, and there have been significant changes in state and regional laws affecting stormwater and water quality since then. The proposed Ordinance is being submitted for Council’s consideration on updating both Chapters 17.42 and 17.43.

The work the City performs to prevent stormwater pollution is regulated under the jurisdiction of the Central Coast Regional Water Quality Control Board, Region 3, which is the enforcement arm of the State Water Resources Control Board (SWRCB). In 2013, the SWRCB adopted the Phase II Small MS4 General Permit (Water Quality Order No. 2013-0001-DWQ). Since its adoption, the SWRCB adopted five amendments to this Permit. The Phase II Small MS4 General Permits require dischargers, including the City, to develop and implement a Stormwater Management Program with the goal of reducing the discharge of pollutants to the Maximum Extent Practicable (MEP). MEP is the performance standard specified in Section 402(p) of the federal Clean Water Act. The management programs specify what Best Management Practices (BMPs) will be used to address certain program areas. Key program areas include: public education and outreach; illicit discharge detection and elimination; construction and post-construction requirements; and good housekeeping practices for municipal operations.

Redlines of the existing Chapters 17.42 and 17.43 (**Attachment 2**) show the extensive changes that would be codified by adoption of the Ordinance. The proposed Chapters 17.42 and 17.43 (clean versions are in **Attachment 3**) are attached as Exhibit “A” to the proposed Ordinance.

### **Summary of Proposed Changes**

Below are key changes in the proposed Stormwater Ordinance:

1. Updated definitions.
2. Referenced newer guidance and requirements to simplify the Ordinance and improve effectiveness.
3. Removed all listed BMPs and outdated Low Impact Development standards, and referenced the California Stormwater Quality Association BMP Handbook, which is kept up to date. The BMP Handbook is available to view at this link: <https://www.casqa.org/resources/bmp-handbooks>
4. Referenced the Phase II Permit and Central Coast Post-Construction Requirements (PCRs), Industrial General Permit, and Construction General Permit.
5. Clarified illegal discharges to mean any direct or indirect release to the City’s storm drain system that is not composed entirely of stormwater (i.e., pressure washing runoff).
6. Clarified construction projects subject to drainage and erosion control plan review.
7. Referenced the City’s Standard Operating Guidance (SOG) 17-07 for all projects that trigger PCRs. PCRs are permanent onsite facilities that manage storm water onsite by implementing measures for site design, source control, runoff reduction, treatment and management. SOG 17-07 is available to view at this link: <https://ci.carmel.ca.us/post/applications-informational-handouts-0>
8. Restructured the enforcement language, and referenced other CMC chapters for enforcement to ensure consistency. A violation shall be considered a misdemeanor (fine not exceeding \$1,000) and subject to administrative civil penalties enforced by the City’s Code Compliance Coordinator or Police Department.

In October 2022, Staff submitted the proposed changes to the Stormwater Ordinance to the SWRCB and California Coastal Commission (CCC). We received minor comments back from SWRCB in December 2022 and made adjustments after consultations with them. We did not receive comments back from the CCC until June 2023, and their comments were extensive. Staff collaborated with the CCC and incorporated relevant changes to our Stormwater Ordinance as directed by the City Attorney’s office.

The cities of Carmel-by-the-Sea, Monterey, Del Rey Oaks, Sand City, Seaside, Pacific Grove and the County of Monterey have joined forces to implement a regional storm water program for the Monterey Peninsula and surrounding areas. This regional group meets monthly to discuss urban runoff issues and implement components of the Monterey Regional Storm Water Management Program (MRSWMP). This Program, coupled with current Stormwater Ordinances that are more consistent across the region, results in a very effective pollutant discharge prevention program critical to the conservation of Carmel Bay, which lies within the Monterey Bay National Marine Sanctuary and is an Area of Special Biological Significance.

The changes to the Stormwater Ordinance, if adopted, would streamline Environmental Program staff reviews of development projects related to stormwater discharges and references to the CMC. Public Works maintenance operations, City capital improvement projects, and private developers would continue to operate under the guidance of the regional storm water program, MRSWMP. As future changes are made to the BMP Handbook, SOG 17-07, or other requirements, the Stormwater Ordinance would likely not need to be updated again.

### **Next Steps**

In December 2023, the City Council will be requested to conduct a second Public Hearing, and adopt the Stormwater Ordinance. Over the next year, the City will further collaborate with the CCC to incorporate the Stormwater Ordinance through an Amendment to the Local Coastal Program.

### **Environmental Evaluation**

The City has determined that Ordinance 2023-007 is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to Section 15061(b) (3) of the CEQA Guidelines, covering activities with no possibility of having a significant effect on the environment. The Ordinance adopts local regulations in a manner that complies with federal and state regulations. The Ordinance does not directly or indirectly authorize or approve any actual changes in the physical environment and, therefore, does not require environmental review.

### **FISCAL IMPACT:**

No direct fiscal impact for this action.

### **PRIOR CITY COUNCIL ACTION:**

Council held a Strategic Priorities Workshop on August 30, 2023 which included this Stormwater Ordinance Update as a Top Priority. This was confirmed at Council's regular meeting of October 3, 2023.

### **ATTACHMENTS:**

Attachment 1) Existing Chapter 17.42 Stormwater Quality and Utility & Chapter 17.43 Water Quality Protection Ordinance

Attachment 2) Redline of Chapter 17.42 and Chapter 17.43 displaying proposed changes

Attachment 3) Draft Ordinance 2023-007

# Chapter 17.42

## STORMWATER QUALITY AND UTILITY

Attachment 1

Sections:

**17.42.010 Purpose.**

**17.42.020 Urban Runoff Water Quality and Discharge Management.**

**17.42.010 Purpose.**

The provisions of this chapter are intended to ensure the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses and water bodies in compliance with the Federal Clean Water Act ([33 USC 1251](#) et seq.) by reducing pollutants in stormwater discharges to the maximum extent practicable, by prohibiting nonstormwater discharges to the storm drain system, and by managing the City's storm and surface water drainage system. Requirements of this chapter shall be implemented and enforced in accordance with the schedule adopted as part of the National Pollution Discharge Elimination System Phase II permit (NPDES). (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

**17.42.020 Urban Runoff Water Quality and Discharge Management.**

A. Applicability. This section shall apply to all water entering the storm drain system generated on any developed and undeveloped lands within the City.

B. Administration.

1. Responsibility for Administration. The Public Works Director shall administer, implement, and enforce the provisions of this section. Any powers granted to or duties of the Public Works Director may be delegated in writing by the Public Works Director to persons or entities acting in the beneficial interest of or in the employ of the City.

2. Regulatory Consistency. This section shall be construed to ensure consistency with the requirements of the Clean Water Act and Porter-Cologne Act, and statutes and regulations that amend or supplement those Acts.

3. Ultimate Responsibility of Discharger. The requirements of this section are minimum standards; therefore this section does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into waters of the U.S. caused by that person. This section shall not create liability on the part of the City, or any agent or employee of the City, for any damages that result from any discharger's reliance on this section or any administrative decision in compliance with this section.

C. Discharge Prohibitions.

1. General Prohibition: No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including pollutants or waters containing any pollutants, that cause or contribute to a violation of applicable water quality standards, other than stormwater. The commencement, conduct or continuance of any other discharge to the storm drain system is prohibited, except for the following.

Attachment 1

- a. Certain types of discharges will not be considered a source of pollutants to the storm drain system and to waters of the U.S. when properly managed in a manner approved by the Director of Public Works to ensure that no potential pollutants are present, and therefore are not considered illegal discharges unless determined to cause a violation of the provisions of the Porter-Cologne Act, Clean Water Act, or other provisions of this section. These types of discharges are listed in Section 1.6 of the City's LID Guidance Manual in Appendix I to Chapter [17.43](#) CMC.
- b. This prohibition shall not apply to any nonstormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered by the State of California under the authority of the Federal Environmental Protection Agency; provided, that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations; and provided, that written approval has been granted by the City for any discharge to the storm drain system.
- c. With the written concurrence of the Regional Board, the City may grant a written exemption for other specific nonstormwater discharges which are not a source of pollutants to the storm drain system nor the waters of the U.S. Notwithstanding the requirements of subsection (E)(1) of this section, Authority to Inspect, the Public Works Director may require by written notice that a person responsible for an illegal discharge immediately, or by a specified date, discontinue the discharge and, if necessary, take measures to eliminate the source of the discharge to prevent the occurrence of future illegal discharges.

2. Illicit Connections. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

- a. The Public Works Director may require by written notice that a person responsible for an illicit connection to the storm drain system comply with the requirements of this section to eliminate or secure approval for the connection by a specified date.
- b. If, subsequent to eliminating a connection found to be in violation of this section, the responsible person can demonstrate that an illegal discharge will no longer occur, the person may request City approval to reconnect. The reconnection or reinstallation of the connection shall be at the expense of the responsible person.



3. Waste Disposal. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drain system, or water of the U.S., any liquids, powders, refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that they may cause or contribute to water pollution. Wastes deposited in proper waste receptacles for the purposes of collection are exempted from this prohibition.

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4. Discharges in Violation of Industrial or Construction Activity NPDES Stormwater Discharge Permit. Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of the permit. Proof of compliance with the permit may be required in a form acceptable to the Public Works Director prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

#### D. Regulations and Requirements.

##### 1. Prevention, Control, and Reduction of Stormwater Pollutants.

a. Authorization to Adopt and Impose Best Management Practices. The City will adopt requirements identifying best management practices (BMP) for activities, operations, or facilities which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or waters of the U.S. These are contained in the BMP Guidance Series in Appendix J to Chapter [17.43](#) CMC. Where best management practices requirements are promulgated by the City or any Federal, State of California, or regional agency for any activity, operation, or facility which would otherwise cause the discharge of pollutants to the storm drain system or water of the U.S., every person undertaking such activity or operation, or owning or operating such facility shall comply with such requirements. The Public Works Director will periodically report to the City Council on the status of implementation of BMPs and any new BMPs that are expected to be developed for inclusion in the BMP Guidance Series. In the event more restrictive requirements pertaining to new development and redevelopment are contained in the City's Low Impact Development Guidance Manual than are contained in the BMP Guidance Series, the more restrictive requirements contained in the Low Impact Development Guidance Manual will govern.

b. New Development and Redevelopment. The City shall adopt Low Impact Development (LID) requirements identifying appropriate best management practices to control the volume, rate, and potential pollutant load of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants as defined by Chapter [17.43](#) CMC. The LID requirements of this chapter are general in nature. More detailed requirements, some of which are in addition to those contained in this Chapter, are contained in the City's Low Impact Development Guidance Manual (LID Guidance Manual) in Appendix I to Chapter [17.43](#) CMC. Persons or entities undertaking or owning new development and/or redevelopment projects shall comply with the requirements in the CMC and in the LID Guidance Manual. The Public Works Director will



periodically report to the City Council on the status of implementation of LID requirements and new LID requirements that are expected to be developed for inclusion in the LID Guidance Manual.

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The City shall incorporate these requirements in any land use entitlement and construction or building-related permit to be issued for the development or redevelopment and the Director shall administer, implement and enforce the provisions of Chapter [17.43](#) CMC.

c. Responsibility to Implement Best Management Practices. Notwithstanding the presence or absence of requirements promulgated in compliance with subsections (D)(1)(a) and (D)(1)(b) of this section, any person engaged in activities or operations, or owning facilities or property which will or may result in pollutants entering stormwater, the storm drain system, or waters of the U.S. shall implement best management practices to the maximum extent practicable as determined by the Director of Public Works to prevent and reduce the pollutants.

i. The owner or operator of a commercial or industrial establishment shall provide to the maximum extent practicable protection, as determined by the Director, from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses.

ii. Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner or operator's expense.

iii. Best management practices required by the City can be obtained from the Public Works Department or the Community Planning and Building Department.

2. Watercourse Protection. Every person owning property through which a watercourse passes, or the person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, stagnant pools of water and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse to the extent required by the Director of Public Works. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. The owner or lessee shall not remove healthy bank vegetation beyond that actually necessary for maintenance, nor remove said vegetation in such a manner as to increase the vulnerability of the watercourse to erosion. The property owner shall be responsible for maintaining and stabilizing that portion of the watercourse that is within their property lines to protect against erosion and degradation of the watercourse on site and downstream. Property owners shall select "soft engineered" techniques when possible for maintaining and stabilizing stream banks.

3. Remediation. Whenever the Public Works Director finds that a discharge of pollutants is taking place or has occurred which will result in or has resulted in pollution of stormwater, the storm drain system, or water of the U.S., the Public Works Director may require by written notice to the owner of the property and/or the

responsible person that the pollution be remediated and the affected property restored within a specified time in compliance with subsection (F) of this section, Enforcement.

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#### E. Inspection and Monitoring.

1. Authority to Inspect. Whenever necessary to make an inspection to enforce any provision of this section, or whenever the Public Works Director has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this section, the Director may enter such premises at all reasonable times to inspect the same and to inspect and copy records related to stormwater compliance. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

2. Authority to Sample, Establish Sampling Devices, and Test. During any inspection in compliance with this section, the Public Works Director may take any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to record site activities.

#### F. Enforcement.

1. Violations. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this section. A violation of or failure to comply with any of the requirements of this section shall constitute a misdemeanor. Such persons may also be in violation of the Clean Water Act and/or the Porter-Cologne Act and may be subject to the sanctions of those acts including civil and criminal penalties. Any enforcement action authorized under this section may also include written notice to the violator of this potential liability.

2. Notice of Violation. Whenever the Public Works Director finds that a person has violated a prohibition or failed to meet a requirement of this section, the Public Works Director may order compliance by written notice of violation to the responsible person. The notice may require without limitation:

- a. The performance of monitoring, analyses, and reporting;
- b. The elimination of illicit connections or discharges;
- c. That violating discharges, practices, or operations shall cease and desist;
- d. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
- e. Payment of compensation to cover administrative and remediation costs;
- f. The implementation or maintenance of source control or treatment BMPs;

g. Payment of a fine as determined by action of the City Council.

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If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which remediation or restoration must be completed. The notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the City or a contractor designated by the Public Works Director, with the cost of the work charged to the violator in compliance with subsection (F)(4) of this section, Emergency Abatement by City.

3. Appeal. Notwithstanding the provisions of subsection (F)(4) of this section, Emergency Abatement by City, any person receiving a notice of violation in compliance with subsection (F)(2) of this section, Notice of Violation, may appeal the determination of the Public Works Director to the City Administrator. The notice of appeal must be received by the City Administrator within five days from the date of the notice of violation. Hearing on the appeal before the City Administrator or his/her designee shall take place within 15 days from the date of City's receipt of the notice of appeal. The decision of the City Administrator or designee shall be final.

4. Emergency Abatement by City. If the violation has not been corrected in compliance with the requirements in the notice of violation, or, in the event of an appeal in compliance with subsection (F)(3) of this section, within 10 days of the decision of the City Administrator upholding the decision of the Public Works Director, then the City or a contractor designated by the Public Works Director may enter upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the City or designated contractor to enter upon the premises for the purposes set forth above.

5. Charging Cost of Abatement/Liens. Within 30 days after abatement of the nuisance by the City, the Public Works Director shall notify the property owner of the property of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment with the City Clerk within 15 days. The City Clerk shall set the matter for public hearing by the City Council. The decision of the Council shall be set forth by resolution and shall be final.

If the amount due is not paid within 10 days of the decision of the Council or the expiration of the time in which to file an appeal under this section, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. A copy of the resolution shall be turned over to the County Auditor so that the Auditor may enter the amounts of the assessment against the parcel as it appears on the current assessment roll, and the tax collector shall include the amount of the assessment on the bill. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

Disclaimer: The city clerk's office has the official version of the Carmel-by-the-Sea Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

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City Website: <https://ci.carmel.ca.us/>

City Telephone: (831) 620-2000

[Code Publishing Company](#)

# Chapter 17.43

## WATER QUALITY PROTECTION ORDINANCE

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Sections:

- 17.43.010 Purpose and Intent.**
- 17.43.020 Applicability.**
- 17.43.030 Application Submittal Requirements.**
- 17.43.040 BMP Maintenance and Conditions of Transfer.**
- 17.43.050 Water Quality Checklist.**
- 17.43.060 Development Standards.**
- 17.43.070 Development-Specific Design Standards.**
- 17.43.080 Single-Family Residential.**
- Appendix I Low Impact Development Guidance Manual.**
- Appendix J BMP Guidance Series.**

### **17.43.010 Purpose and Intent.**

A. The purpose of this chapter is to protect and enhance coastal waters within the City of Carmel in accordance with the policies of the City's Local Coastal Plan (Sections O5-45 and O5-46), Sections 30230, 30231, 30232 and 30240 of the California Coastal Act, and the City's Phase II NPDES permit requirements. To implement the certified land use plan, application submittal requirements, development standards, and other measures are provided to ensure that permitted development shall be sited and designed to conserve natural drainage features and vegetation, minimize the introduction of pollutants into coastal waters to the maximum extent practicable, limit the discharge of stormwater runoff, and protect the overall quality of coastal waters and resources. All new development and redevelopment within the City shall comply with the requirements in this Chapter and in the City's Low Impact Development Guidance Manual (LID Guidance Manual) in [Appendix I](#) to this chapter. (See Chapter [17.42](#) CMC and CMC [17.42.020](#)(D)(1)(b).)

B. The intent of this chapter is to address the following principles:

1. All development shall be evaluated by the Planning Director or his/her designee for potential adverse impacts to water quality and applicants should consider site design, source control and treatment control BMPs in order to minimize polluted runoff and water quality impacts resulting from the development. Site design BMPs reduce the need for source and/or treatment control BMPs, and source control BMPs may reduce the amount of treatment control BMPs needed for a development. Therefore, BMPs should be incorporated into the project design in the following progression:

- a. Site design BMPs;
- b. Source control BMPs;
- c. Treatment control BMPs.

2. All development shall be designed to minimize the introduction of pollutants that may result in water quality impacts. Projects should be designed to control post-development peak runoff rates and average volumes to

maintain or reduce pre-development downstream erosion rates. These objectives can be accomplished through the creation of a hydrologically functional project design that strives to mimic the existing natural hydrologic regime and by achieving the following goals:

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- a. Maintain and use existing natural drainage courses and vegetation;
- b. Conserve natural resources and areas by clustering development on the least environmentally sensitive portions of a site while leaving the remaining land in a natural, undisturbed condition;
- c. Minimize the amount of directly connected impervious surface and total area of impervious surface;
- d. Incorporate or connect to existing on-site retention and infiltration measures;
- e. Direct rooftop runoff to permeable areas rather than driveways or impervious surfaces to reduce the amount of stormwater leaving the site;
- f. Minimize clearing and grading.

3. Incorporating these goals and principles into the project design will help to minimize the introduction of pollutants to the site and decrease the amount of polluted runoff leaving the site, resulting in the overall objective of water quality protection. [Appendix I](#) to this chapter describes the requirements and processes for implementing BMPs into development and provides examples of types of BMPs to incorporate.

4. Nonstructural BMPs are preventative actions that involve management and source controls such as protecting and restoring sensitive areas such as wetlands and riparian corridors, maintaining and/or increasing open space, providing buffers along sensitive water bodies, minimizing impervious surfaces and directly connected impervious areas, and minimizing disturbance of soils and vegetation. Structural BMPs include: storage practices such as wet ponds and extended-detention outlet structures; filtration practices such as grassed swales, sand filters and filter strips; and infiltration practices such as infiltration basins and infiltration trenches. In many cases combinations of nonstructural and structural measures will be required to reduce water quality impacts.

5. Nonstructural and structural BMPs most applicable to the development projects are included in “A Planner’s Guide to Conditions of Approval and Standard Mitigation Measures.” Additional guidance on best management practices is available from the State, the EPA and from other sources such as BASMAA “Starting at the Source.” Stormwater technologies are constantly being improved, and staff and developers must be responsive to any changes, developments or improvements in control technologies. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

#### **17.43.020 Applicability.**

All properties within the City of Carmel are located within the coastal zone as defined in the California Coastal Act and are subject to the policies, standards and provisions contained in the certified LCP that may apply. Where any standard provided in this chapter conflicts with any other policy or standard contained in the City’s General Plan, Zoning Code or other City-adopted plan, resolution or ordinance not included in the certified Carmel LCP, and it is not possible for the development to comply with both the Carmel LCP and other plans, resolutions or ordinances, the

### **17.43.030 Application Submittal Requirements.**

A. For all projects requiring implementation of an erosion and drainage control plan (subsection (A)(1) of this section), water quality mitigation plan (subsection (D) of this section), or stormwater management plan, the following information shall be submitted with an application for a coastal development permit according to the requirements listed below.

1. Construction Phase Requirements – Erosion and Drainage Control Plan. All development permit applications involving alterations to existing buildings or site design, or construction of new buildings that meet the criteria below shall include a site-specific erosion and drainage control plan. Plans shall be required for new development that (a) increases site coverage by more than five percent of the site area, or (b) involves grading that will affect drainage patterns on or off the site, or (c) involves either a rebuild or construction of a new building. The erosion and drainage control plan shall include a site specific erosion control plan that includes controls on grading (i.e., timing and amounts), best management practice for staging, storage, and disposal of construction materials, design specification of sedimentation basins and landscaping/revegetation of graded or disturbed areas. The plans shall also include as site specific polluted runoff control plan that demonstrates how runoff will be diverted from impermeable surfaces into permeable areas of the property in a nonerosive manner and filter and infiltrate stormwater prior to conveyance off-site.

2. Post-Construction Phase Requirements – Site Design and Source Control Measures. Post-construction plans detailing how stormwater and polluted runoff will be managed or mitigated should be included in the design of all projects that require an erosion and drainage control plan (subsection (A)(1) of this section). Project submittals shall include details regarding how the project will use appropriate site design and source control BMPs to minimize adverse effects of the project on water quality.

3. Water Quality Mitigation Plan. For development which does not mitigate impacts to water quality using site design and source control measures and for certain special categories of development (see subsection (E) of this section) a water quality mitigation plan will be required showing how treatment control (or structural) BMPs will be used (in addition to site design and source control BMPs) to minimize the discharge of polluted runoff from the project.

B. All development that requires an erosion and drainage control plan shall require the implementation of appropriate site design and source control BMPs from subsection (D) of this section and Section 3.0 of the City's LID Guidance Manual in [Appendix I](#) to this chapter to minimize post-construction polluted runoff. The project plans submitted with the permit application should also specify any treatment control or structural BMPs that the applicant elects to include in the development to minimize post-construction polluted runoff, and include the operation and maintenance plans for these BMPs.

C. Less Than Significant Impacts. The following land uses and projects are generally presumed to have a less than significant project-specific water quality impact. These include redevelopment projects that reduce the amount of

impervious surfaces on the site, do not change the land use or potential pollutants and are not one of the categories of development requiring a WQMP; and new development and redevelopment projects that incorporate into the project design construction BMPs for erosion, sediment and construction waste control and incorporate post-construction BMPs to protect sensitive riparian or wetland resources, reduce the quantity of runoff, and treat runoff generated by the project to pre-project levels.

D. Post-Construction Phase Requirements – Water Quality Mitigation Plan. Plans detailing how stormwater and polluted runoff will be managed or mitigated will be required for all projects that require an erosion and drainage control plan. The basic design elements for all projects (see subsection (B) of this section) will demonstrate how the project will use appropriate site design and source control BMPs to minimize adverse effects of the project on water quality. For certain categories of development a water quality mitigation plan will be required showing how treatment control (or structural) BMPs will be used (in addition to site design and source control BMPs) to minimize the discharge of polluted runoff from the project.

A water quality mitigation plan (WQMP) shall be required for all development that requires an erosion and drainage control plan and either fails to address water quality impact using site design and source control measures or is in a category of development identified below. In addition to the site design and source control BMPs required for a stormwater management plan, the WQMP shall include treatment control (or structural) BMPs identified in Section 4.0 of the City's LID Guidance Manual in [Appendix I](#) to this chapter to minimize post-construction polluted runoff. The WQMP shall also include the operation and maintenance plans for these BMPs.

E. Special Categories of Development. A WQMP shall be required for projects that fall into one or more of the following categories of development and are not able to meet the appropriate treatment controls for the specific pollutants associated with those development types as set forth in the City's LID Guidance Manual in [Appendix I](#) to this chapter as part of the design:

1. Industrial/commercial development;
2. Restaurants;
3. Retail gasoline outlets/automotive service facilities;
4. Parking lots (5,000 square feet or more of impervious surface area or with 25 or more parking spaces)/outdoor storage areas;
5. Projects that discharge to an environmentally sensitive area (ESA) or coastal water. Such projects are defined as being all development and redevelopment located within or directly adjacent to or discharging directly to an environmentally sensitive area (where discharges from the development or redevelopment will enter receiving waters within the environmentally sensitive area). "Directly adjacent" means situated within 200 feet of the environmentally sensitive area. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.



F. CEQA. Provisions of this section shall be complementary to, and shall not replace, any applicable requirements for stormwater mitigation required under the California Environmental Quality Act or Chapter [17.42](#) CMC. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).<sup>Attachment 1</sup>

#### **17.43.040 BMP Maintenance and Conditions of Transfer.**

All applicants shall provide verification of maintenance provisions for structural and treatment control BMPs, including but not limited to legal agreements, covenants, CEQA mitigation requirements, and conditional use permits.

Verification at a minimum shall include:

A. The developer's signed statement accepting responsibility for maintenance until the responsibility is legally transferred; and either

B. A signed statement from the public entity assuming responsibility for structural and treatment control BMP maintenance and that it meets all local agency design standards; or

C. Written conditions in the sales or lease agreement, which require the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year; or

D. Written text in project conditions, covenants, and restrictions (CCRs) for residential properties assigning maintenance responsibilities to the homeowners association for maintenance of the structural and treatment control BMPs; or

E. Any other legally enforceable agreement that assigns responsibility for the maintenance of post-construction structural and treatment control BMPs. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

#### **17.43.050 Water Quality Checklist.**

A water quality checklist will be developed by the City and used to supplement the CEQA checklist in the permit review process to assess potential water quality impacts and appropriate mitigation measures. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

#### **17.43.060 Development Standards.**

A. BMP Requirements and Implementation. All development shall be evaluated for potential adverse impacts to water quality and the applicant shall consider site design, source control and treatment control BMPs in order to minimize polluted runoff and water quality impacts resulting from the development. A SWMP requires the implementation of site design and source control BMPs, as specified in CMC [17.43.030](#)(B), and a WQMP requires the implementation of site design, source control and treatment control BMPs, as specified in CMC [17.43.030](#)(C). In order to maximize the reduction of water quality impacts, BMPs should be incorporated into the project design in the following progression: (1) site design BMPs, (2) source control BMPs, and (3) treatment control BMPs. Examples of these BMPs can be found in the City's LID Guidance Manual in [Appendix I](#) to this chapter.

B. BMP Selection Process. In selecting BMPs to incorporate into the project design, the applicant should first identify the pollutants of concern that are anticipated to be generated as a result of the development. The City's LID Guidance Manual in [Appendix I](#) to this chapter should be used as a guide in identifying these pollutants of concern. Pollutants

generated by the development that exhibit one or more of the following characteristics shall be considered primary pollutants of concern:

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1. Current loadings or historical deposits of the pollutant are impairing the beneficial uses of a receiving water.
2. Elevated levels of the pollutant are found in water or sediments of a receiving water and/or have the potential to be toxic to or bioaccumulate in organisms therein.
3. Inputs of the pollutant are at a level high enough to be considered potentially toxic.

Site design and source control BMPs are required based on pollutants commonly associated with the project type, as identified in Tables 1 and 2 of Attachment 3 of the City's LID Guidance Manual in Appendix I to this chapter. BMPs that minimize the identified pollutants of concern may be selected from the examples in Table 3 of Attachment 3 of the City's LID Guidance Manual in [Appendix I](#) to this chapter and CMC [17.43.070](#), targeting primary pollutants of concern first. In the event that the implementation of a BMP listed in the City's LID Guidance Manual in [Appendix I](#) to this chapter or CMC [17.43.070](#) is determined to be infeasible at any site, the implementation of other BMPs that will achieve the equivalent reduction of pollutants shall be required.

Treatment control BMPs should be selected using the matrix in Table 3 of Attachment 3 of the City's LID Guidance Manual in [Appendix I](#) to this chapter as guidance to determine the removal efficiency of the BMP for the pollutants of concern for that project. Treatment control BMPs that maximize pollutant removal for the identified primary pollutants of concern should receive priority for BMP selection, followed by BMPs that maximize pollutant removal for all other pollutants of concern identified for the project. The most effective combination of BMPs for polluted runoff control that results in the most efficient reduction of pollutants shall be implemented. The applicant may select from the list of BMPs in the City's LID Guidance Manual in [Appendix I](#) to this chapter. In the event that the implementation of a BMP listed in the City's LID Guidance Manual in [Appendix I](#) to this chapter is determined to be infeasible at any site, the implementation of other BMPs that will achieve the equivalent reduction of pollutants shall be required.

C. Sizing of Treatment Control BMPs. Where post-construction treatment controls are required, the BMPs (or suites of BMPs) shall be designed in accordance with the requirements contained in the City's LID Guidance Manual in [Appendix I](#) to this chapter to infiltrate and/or treat the amount of stormwater runoff that will come from the project site, with an appropriate safety factor (i.e., two or greater), for flow-based BMPs.

The term "treatment" includes physical, biological and chemical processes such as filtration, the use of bioswales, detention and retention ponds and adsorption media. The actual type of treatment should be suited to the pollutants generated by the development as indicated in the City's LID Guidance Manual in [Appendix I](#) to this chapter.

D. Development on Steep Slopes. Specific requirements for development on steep slopes are contained in Section 2.5.2 of the LID Guidance Manual in [Appendix I](#) to this chapter.

E. Cumulative Impacts. Because of the City's designation under the Phase II NPDES regulations, all discretionary projects (except those that do not result in a physical change to the environment) within the urbanized area whose contributions are cumulatively considerable must implement one or more best management practices to reduce their

### **17.43.070 Development-Specific Design Standards.**

A. Commercial Development. Commercial development shall be designed to control the runoff of pollutants from structures, parking and loading areas. The following general measures shall be implemented to minimize the impacts of commercial development on water quality. Specific requirements for commercial development are contained in the City's LID Guidance Manual in [Appendix I](#) to this chapter.

1. Properly Design Loading/Unloading Dock Areas. Loading/unloading dock areas have the potential for material spills to be quickly transported to the stormwater conveyance system.
2. Properly Design Repair/Maintenance Bays. Oil and grease, solvents, car battery acid, coolant, and gasoline from repair and maintenance bays can negatively impact stormwater if allowed to come into contact with stormwater runoff.
3. Properly Design Vehicle/Equipment Wash Areas. The activity of vehicle/equipment washing/steam cleaning has the potential to contribute metals, oil and grease, solvents, phosphates, and suspended solids to the stormwater conveyance system.
4. Properly Design Parking Areas and Parking Lots. Parking areas and parking lots contain pollutants such as heavy metals, oil and grease, and polycyclic aromatic hydrocarbons that are deposited on parking lot surfaces by motor vehicles. These pollutants are directly transported to surface waters. Parking lots may also accumulate oil, grease, and water insoluble hydrocarbons from vehicle drippings and engine system leaks.

B. Restaurants. Restaurants shall be designed to minimize runoff of oil and grease, solvents, phosphates, and suspended solids to the storm drain system.

C. Gasoline Stations and Automotive Repair Facilities. Gasoline stations and automotive repair facilities shall be designed to minimize runoff of oil and grease, solvents, car battery acid, coolant and gasoline to stormwater system.

D. Outdoor Material Storage Areas. Outdoor material storage areas refer to storage areas or storage facilities used solely for the storage of materials. Improper storage of materials outdoors may provide an opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids, and other pollutants to enter the stormwater conveyance system.

E. Trash Storage Areas. A trash storage area refers to an area where a trash receptacle or receptacles are located for use as a repository for solid wastes. Loose trash and debris can be easily transported by the forces of water or wind into nearby storm drain inlets, channels, and/or creeks. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

### **17.43.080 Single-Family Residential.**

To mitigate the increased runoff rates from single-family residences due to new impervious surfaces, new and remodel projects which need an erosion and drainage control plan shall include design elements which accommodate on-site

percolation, retention or collection of stormwater runoff such that the peak runoff rate after development either meets the eighty-fifth percentile storm event criterion or does not exceed predevelopment runoff levels to the maximum extent practicable, and that runoff that will come from the project site meets the applicable requirements contained in the City's LID Guidance Manual in Appendix I to this chapter. BMPs (including those outlined in the California Stormwater Best Management Practice Handbooks) which may achieve this objective fit into these categories:

- A. Minimizing impervious areas;
- B. Increase rainfall infiltration;
- C. Minimize directly connected impervious areas (DCIAs). (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

## **Appendix I Low Impact Development Guidance Manual.**

### 1.0 INTRODUCTION

#### 1.1 Purpose

This Low Impact Development Guidance Manual (Manual) is intended for use by project developers such as architects, engineers, and building contractors, in designing and constructing projects within the City of Carmel-by-the-Sea (City) to comply with the City's Low Impact Development (LID) requirements. City staff involved in reviewing plans and issuing permits for a project will use this Manual to determine whether or not the project has been designed to meet these requirements.

#### 1.2 Background

Discharges from the City's storm drainage system are regulated under a National Pollutant Discharge Elimination System (NPDES) permit issued by the Central Coast Regional Water Quality Control Board (RWQCB) of the State of California. The initial NPDES permit was called the "General Permit for the Discharge of Storm Water from Small Municipal Separate Storm Sewer Systems, Order No. 2003-0005-DWQ." The City became subject to this permit on May 1, 2008. The RWQCB periodically revises its overall storm drainage requirements and imposes them on dischargers by reissuing its General Permit under a new Order number, or by issuing specific requirements to dischargers.

This Low Impact Development Guidance Manual reflects the "Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region" adopted by the RWQCB on September 6, 2012. These are referred to herein as the "RWQCB Post-Construction Requirements."

A condition of compliance under the NPDES permit is that the City implements its Storm Water Management Program. One of the State-required components of that Program is to develop and implement a set of Best Management Practices (BMPs) to reduce storm water runoff and storm water pollution emanating from new development and redevelopment projects located within the City. This is accomplished by using the LID concepts described in this Manual during the design and construction of those projects.

LID is a development approach that (1) reduces the amount of storm water runoff by retaining a portion of the storm water on the project site where it can infiltrate into the ground or be released in a controlled manner, and (2) in some instances reduces the amount of pollutants in storm water through natural or manmade treatment processes, so that these discharges do not cause or contribute to a violation of receiving water quality standards established by the RWQCB.

#### 1.3 Authority

Chapters [17.10](#), [17.34](#), [17.42](#), [17.43](#), and [17.70](#) of the Carmel-by-the-Sea Municipal Code (CMC) establish certain of the BMP requirements described in this Manual. For ease of reference, citations from sections of these Chapters are designated herein as (§xx.xx.xxx). In addition, on November 3, 2009 the City Council adopted a document titled "BMP Guidance Series" contained in [Appendix J](#) to Chapter [17.43](#) CMC as official City policies pertaining to storm water pollution prevention from new development and redevelopment

projects. Requirements taken from that document are designated herein as (BGS). The City may from time to time update the BMP Guidance Series by revising or adding to the requirements contained in that document.

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The City has adopted the requirements described in this Manual to control the volume, rate, and potential pollutant load of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants as defined by Chapter [17.43](#) of the CMC. The City will incorporate these requirements into any construction or building-related permit to be issued for the development or redevelopment. ([§17.42.020](#))

The purpose of the requirements in Chapter [17.43](#) is to protect and enhance coastal waters within the City in accordance with the policies of the City's Local Coastal Plan, the California Coastal Act, and the City's NPDES permit requirements, and to ensure that permitted development shall be sited and designed to conserve natural drainage features and vegetation, minimize the introduction of pollutants into coastal waters to the maximum extent practicable, limit the discharge of stormwater runoff, and protect the overall quality of coastal waters and resources. ([§17.43.010](#))

### 1.4 LID BMP Implementation Tracking

In order to facilitate the design review and permitting process, when the plans for a project are submitted to the City they should include a completed copy of the "BMP Implementation Tracking Form" contained in Attachment 1. The plans should also show the locations of the BMPs that have been incorporated into the design of the project.

### 1.5 Definitions

The terms in this Section are defined as they apply in this LID Guidance Manual.

**Hillside:** Hillside means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is 25% or greater.

**Impermeable or Impervious Surface:** These terms are used interchangeably in this LID Guidance Manual. Impermeable surface is defined in Chapter [17.70](#) of the City's Municipal Code to mean a surface artificially constructed so as to prevent or largely inhibit the infiltration of rainwater or runoff into the natural soils or underlying geologic materials. Impervious surface is defined in the RWQCB's Post-Construction Requirements to mean a hard, non-vegetated surface area that prevents or significantly limits the entry of water into the soil mantle, as would occur under natural conditions prior to development. Common impervious/impermeable surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

**Net Impervious Area:** The sum of new and replaced post-project impervious areas, minus any reduction in total imperviousness from the pre-project to post-project condition:  $\text{Net Impervious Area} = (\text{New and Replaced Impervious Area}) - (\text{Reduced Impervious Area Credit})$ , where Reduced Impervious Area Credit is the total pre-project to post-project reduction in impervious area, if any.

**New Development:** Land disturbing activities that include the construction or installation of buildings, roads, driveways and other impervious surfaces. Development projects with pre-existing impervious surfaces are not considered New Development.

**Permeable or Pervious Surface:** A surface that allows varying amounts of stormwater to infiltrate into the ground. Examples include pasture, native vegetation areas, landscape areas, and permeable pavements designed to infiltrate. Permeable pavements include pavers which are set in sand so that water can percolate between the pavers, such as those commonly used for patios, walkways, and driveways.

**Redevelopment:** On a site that has already been developed, construction or installation of a building or other structure subject to the City's planning and building authority including: 1) the creation or addition of impervious surfaces; 2) the expansion of a building footprint or addition or replacement of a structure; or 3) structural development including construction, installation or expansion of a building or other structure. It does not include routine road maintenance, nor does it include emergency construction activities required to immediately protect public health and safety.

**Regulated Projects:** Regulated Projects include all New Development or Redevelopment projects that create and/or replace >2,500 square feet of impervious surface (collectively over the entire project site).

**Steep Slopes:** Has the same meaning as "Hillside".

## 1.6 Exception Discharges

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Discharges of other than storm water to waters shall be effectively prohibited, except for the following non-storm water discharges which are not prohibited, provided any pollutant discharges are identified and appropriate control measures to minimize the impacts of such discharges are developed and implemented. This provision does not obviate the need to obtain any other appropriate permits for such discharges:

- a. Water line flushing;
- b. Individual residential car washing;
- c. Diverted stream flows;
- d. Rising ground waters;
- e. Uncontaminated ground water infiltration (as defined at [40 C.F.R. §35.2005\(20\)](#)) to separate storm sewers;
- f. Uncontaminated pumped ground water;
- g. Discharges from potable water sources;
- h. Foundation drains;
- i. Air conditioning condensation;
- j. Springs;
- k. Water from crawl space pumps;
- l. Footing drains;
- m. Flows from riparian habitats and wetlands;
- n. Dechlorinated swimming pool discharges; and
- o. Incidental runoff of potable or recycled water from landscaped areas (as defined and in accordance with section B.4 of this Order).

Discharges or flows from fire-fighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the U.S. If the City determines that any individual or class of non-storm water discharge(s) listed above may be a significant source of pollutants to waters of the U.S., or poses a threat to water quality standards (beneficial uses), the City may require the discharger to monitor and submit a report and to implement BMPs on the discharge.

## 2.0 DESIGN

### 2.1 Selection of BMPs

In selecting BMPs to incorporate into the project design, the applicant should first identify the pollutants of concern that are anticipated to be generated as a result of the development. Table 1 in Attachment 3 should be used as a guide in identifying these pollutants of concern. Pollutants generated by the development that exhibit one or more of the following characteristics will be considered the primary pollutants of concern:

1. Current loadings or historical deposits of the pollutant are impairing the beneficial uses of a receiving water.
2. Elevated levels of the pollutant are found in water or sediments of a receiving water and/or have the potential to be toxic to or bioaccumulate in organisms therein.
3. Inputs of the pollutant are at a level high enough to be considered potentially toxic.

**2.1.1 Site Design and Source Control BMPs.** Site design and source control BMPs should be selected based on pollutants commonly associated with the project type, as identified in Table 1 of Attachment 3. BMPs that minimize the identified pollutants of concern should



be selected from the matrix in Table 2 of Attachment 3. In the event that the implementation of a BMP listed in Table 2 of Attachment 3 is determined to be infeasible at any site, the implementation of other BMPs that will achieve the equivalent reduction of pollutants will be required.

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2.1.2 Treatment Control BMPs. In many cases proper application of appropriate site design and source control BMPs will meet the City's LID requirements, and treatment control BMPs will not be necessary. However, when site design and source control BMPs are not adequate, treatment control BMP(s) will be necessary. Treatment control BMPs should be selected from the matrix in Table 3 of Attachment 3 as guidance to determine the removal efficiency of the BMP for the pollutants of concern for that project. Treatment control BMPs that maximize pollutant removal for the identified primary pollutants of concern should receive priority for BMP selection, followed by BMPs that maximize pollutant removal for all other pollutants of concern identified for the project. The most effective combination of BMPs for polluted runoff control that results in the most efficient reduction of pollutants should be implemented. In the event that the implementation of a BMP listed in the matrix in Table 3 of Attachment 3 is determined to be infeasible on the project site, the implementation of other treatment control BMP(s) that will achieve the equivalent reduction of pollutants will be required.

Where treatment controls are required, the BMPs (or suites of BMPs) shall be designed to infiltrate and/or treat the amount of stormwater runoff as follows:

1. For volume-based BMPs, the amount of storm water runoff produced by the eighty-fifth percentile, 24-hour storm event, based on local rainfall data.
2. For flow-based BMPs, two times the amount of storm water runoff produced by the eighty-fifth percentile, one-hour storm event, based on local rainfall data.
3. Limited Exclusion: Restaurants and retail gasoline outlets where the land area for development or redevelopment is less than 5,000 square feet are excluded from these volume- and flow-based numerical treatment control BMP design standards.

The term "treatment" includes physical, biological and chemical processes such as filtration, the use of bioswales, detention and retention ponds and adsorption media. The actual type of treatment should be suited to the pollutants generated by the development as indicated in Table 1 of Attachment 3.

Descriptions of commonly used treatment control BMPs are contained in Attachment 2. Detailed design information for treatment control BMPs, and examples, can be found in Sections 2 through 5 of the CASQA Handbook, and in Appendices C through E of the Santa Barbara Manual, both of which are described in Section 6.0 of this Manual.

At its discretion and for good cause, the City may waive one or more of the requirements pertaining to treatment control BMPs if impracticability for a specific property can be established. A waiver of impracticability will be granted only when all other treatment control BMPs have been considered and rejected as infeasible. Recognized Potential situations of impracticability may include, (i) extreme limitations of space for treatment on a project site, (ii) unfavorable or unstable soil conditions making a site unsuitable for infiltration, and (iii) risk of ground water contamination because a known unconfined aquifer lies beneath the land surface or an existing or potential underground source of drinking water is less than 10 feet from the soil surface. A waiver may be revoked for cause and with proper notice. A waiver of requirements may be subject to prior approval by the RWQCB, depending on the type of requirement being waived.

## 2.2 Watercourse Protection

Watercourses located on private property are required to be kept free of trash, debris, excessive vegetation, stagnant pools of water and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse to the extent required by the City. Healthy bank vegetation should not be removed beyond that actually necessary for maintenance, nor should such vegetation be removed in a manner which increases the vulnerability of the watercourse to erosion. The property owner is responsible for maintaining and stabilizing that portion of the watercourse that is within their property lines to protect against erosion and degradation of the watercourse on-site and downstream. Property owners shall select "Soft Engineered" techniques when possible for maintaining and stabilizing stream banks. ([§17.42.020](#)).

## 2.3 Landscaping Requirements

In order to protect and enhance the City's urbanized forest and landscaped amenities, to protect environmentally sensitive habitat areas from degradation, to provide for the restoration of native vegetation, and to promote water conservation the following landscaping requirements will be imposed on new development and redevelopment projects. ([§17.34.010](#))

These requirements apply to all new development or substantial alteration of existing development proposed on private property anywhere in the City. (§[17.34.020](#))

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### 2.3.1 Plantings:

#### 2.3.1.1 All Sites (§[17.34.060](#)):

1. In order to reduce the potential for irrigation run-off that could contribute to storm water pollution, a minimum of 75 percent of new plant materials on the project site shall be native plants and/or noninvasive drought-tolerant plants as determined by the City Forester.
2. All plants within landscaped areas on any public right-of-way adjacent to private property shall be drought-tolerant and low water use predominantly native species as determined by the City Forester.
3. A minimum of 75 percent of new plant materials in all open space areas on project sites in the commercial, R-4, and R-1 districts shall be planted with drought-tolerant and low water use species as determined by the City Forester.

#### 2.3.1.2 Residential Sites (§[17.34.070](#)):

1. All properties located in the R-1 or R-4 district shall contribute to the urbanized forest or other vegetation characteristic of the neighborhood by harboring an appropriate mix of upper and lower canopy trees and/or shrubs consistent with the neighborhood context and the neighborhood streetscape.
2. Landscaping in public rights-of-way in the R-1 district shall be limited to native, drought-tolerant plants.

#### 2.3.1.3 Commercial Sites (§[17.34.080](#)):

1. In all commercial districts a minimum of 50 percent of the required open space on the project site shall be landscaped. The combined total area of nonliving materials such as garden benches, water features and patterned paving treatments shall not comprise more than 25 percent of the required landscaping on the site. All landscaping improvements shall include upper canopy trees on-site and/or in the sidewalk in front of the property whenever possible.
2. Building sites incorporating surface parking lots shall include at least 15 percent of the site area in landscaping. To help reduce runoff into the City's storm drainage system, landscaping shall be distributed along all street frontages and pedestrian walkways that are adjacent to parking areas. Landscaping shall also be provided within the interior of surface lots to break up large expanses of paving. Parking lots with four or more vehicles shall provide interior landscaping of at least 10 square feet per vehicle.

#### 2.3.2 Materials of Construction (§[17.34.060](#)):

1. Use of materials that allow for percolation of rain into the soil and reduce water run-off is encouraged.
2. Paved areas shall be designed to be small, and large continuous areas of paving shall be avoided. Paved areas shall include design features such as sand-set paving and/or drainage collection and distribution systems that enhance surface water percolation.
3. Landscaping plans for projects in any zoning district shall, where feasible, include the use of water retention storage devices such as cisterns or underground bladders to capture precipitation or surface runoff for landscape maintenance purposes or detention basins or berms to retain water on-site for natural percolation into the soil.

### 2.4 Impermeable Site Coverage (§[17.10.030](#))

These requirements apply to all new development, or substantial alteration of existing development, proposed on private property anywhere in the City.

1. Impermeable site coverage, which is defined in Chapter [17.70](#) of the City's Municipal Code to mean a surface artificially constructed so as to prevent or largely inhibit the infiltration of rainwater or runoff into the natural soils or underlying geologic materials as defined in Section 1.5, shall be limited to a maximum of 22% of the base floor area allowed for the site. Allowable base floor areas for typical lot sizes are contained in Table 17.10-D of the CMC. For a typical 4,000 square-foot site the maximum allowable impermeable site coverage equals 396 square feet or approximately 10% of the site.

2. If at least 50 percent of all site coverage on the property is made of permeable or semi-permeable materials, an additional amount of site coverage of up to 4% of the site area may be allowed for use in a single driveway of up to nine feet in width.



## 2.5 Site Design

All projects shall be designed with the objectives of minimizing the introduction of pollutants that may result in water quality impacts, and controlling post-development peak runoff rates and average volumes to maintain or reduce pre-development downstream erosion rates. (Attachment 1 §17.43.010)

All development shall be evaluated for potential adverse impacts to water quality, and the applicant is to consider site design, source control, and treatment control BMPs in order to minimize polluted runoff and water quality impacts resulting from the development. In order to maximize the reduction of water quality impacts, BMPs should be incorporated into the project design in the following progression: (1) Site design BMPs, (2) Source control BMPs, and (3) Treatment control BMPs. (§17.43.060).

### 2.5.1 Performance Requirements (RWQCB Post-Construction Requirements)

The RWQCB's Post-Construction Requirements pertain to both residential and commercial types of Regulated Projects (as defined in Section 1.5). Note that some of the requirements in this Section 2.5.1 overlap with requirements in Sections 2.5.2, 2.5.3 and/or 2.5.4.

Because of the relatively small lot sizes in the City, it is expected that the majority of projects will not be subject to the RWQCB's Post-Construction Requirements, and that only a small number of projects will be subject to Performance Requirement No. 1, which is described below.

Any project other than a detached single family home having a Net Impervious Area (as defined in Section 1.5)  $\geq 5,000$  square feet, or a detached single family home project having a Net Impervious Area  $\geq 15,000$  square feet, will be subject to the more complex requirements of Performance Requirement No. 2: Water Quality Treatment. Performance Requirement No. 2 is described in Attachment 5.

Projects having a Net Impervious Area  $\geq 15,000$  square feet, and which are not detached single family home projects, as well as single family residences  $\geq 15,000$  square feet in WMZs 1, 2, 5, 6, 8, and 9, and those portions of WMZs 4, 7, and 10 that overlie designated Groundwater Basins; and all Regulated Projects over 22,500 square feet of impervious surface area in WMZs 1, 2, 3, 6, and 9 will be subject to additional requirements as described in Attachment 5.

Performance Requirement No. 1: Site Design and Runoff Reduction:

All Regulated Projects that create and/or replace  $\geq 2,500$  square feet of impervious surface (collectively over the entire project site), including detached single-family home projects, are required to implement at least the following design strategies:

1. Limit disturbance of creeks and natural drainage features
2. Minimize compaction of highly permeable soils
3. Limit clearing and grading of native vegetation at the site to the minimum area needed to build the project, allow access, and provide fire protection
4. Minimize impervious surfaces by concentrating improvements on the least-sensitive portions of the site, while leaving the remaining land in a natural undisturbed state
5. Minimize stormwater runoff by implementing one or more of the following site design measures:
  6. Direct roof runoff into cisterns or rain barrels for reuse
  7. Direct roof runoff onto vegetated areas safely away from building foundations and footings, consistent with California building code
  8. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas safely away from building foundations and footings, consistent with California building code
  9. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas safely away from building foundations and footings, consistent with California building code
  10. Construct bike lanes, driveways, uncovered parking lots, sidewalks, walkways, and patios with permeable surfaces

11. The Permittee shall confirm that projects comply with Site Design and Runoff Reduction Performance Requirements by means of appropriate documentation (e.g., check lists) accompanying applications for project approval.

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### 2.5.2 Development on Steep Slopes (§[17.43.060](#))

In addition to the requirements in Section 2.5, project designs shall incorporate soil stabilization and infiltration practices during the construction of roads, bridges, culverts and outfalls to prevent stream bank or hillside erosion. Project plans must include the following BMPs to decrease the potential of slopes and/or channels from eroding and impacting stormwater runoff:

1. Convey runoff safely from the tops of slopes and stabilize disturbed slopes.
2. Utilize existing natural drainage systems to the maximum extent feasible.
3. Control and minimize excess flow to natural drainage systems to the maximum extent feasible.
4. Stabilize permanent channel crossings using “soft engineering” practices when possible.
5. Vegetate slopes with native or drought-tolerant vegetation.
6. Additional measures to prevent downstream erosion, such as cisterns, infiltration pits and/or contour drainage outlets that disperse water back to sheet flow, should be implemented for projects discharging onto slopes greater than 10%.

### 2.5.3 Residential Projects

For residential projects, in addition to the applicable requirements in Section 2.5, 17.43.080, and described elsewhere within this Manual, the following additional LID principles are to be incorporated into the design of all residential projects, as appropriate:

#### 2.5.3.1 Small Residential Projects

For small residential projects that must only go through a ministerial review process and conform to the site zoning requirements, such as either a new single-family unit or minor modifications to an existing single family unit or a single structure, LID objectives are to be accomplished by applying the following principles to the design (§[17.43.080](#) and BGS):

1. Use low-maintenance drought-tolerant landscaping that does not require frequent fertilizer, pesticide and herbicide application.
2. Label all storm drain inlets and catch basins within the project area with prohibitive language (such as: “NO DUMPING – DRAINS TO OCEAN”) and/or graphical icons to discourage illegal dumping.
3. Minimize areas that are directly connected to the City’s storm drainage system by directing roof gutters and other impervious areas to landscaped areas where possible. Roof drains may be eliminated only in one to two-story buildings in residential and some commercial areas. Where these cannot be eliminated, direct the downspout of the gutter to landscaped areas or into an infiltration trench. Install several gutters to distribute the flow.
4. Minimize impervious areas and increase rainfall infiltration by using alternate paving materials (pavers), landscaping, mulch, gravel and cobbles where appropriate to provide ground cover, and reduce the use of asphalt or other impervious pavement. Pavers are recommended for driveways, walkways, and patios in single-family residences if Americans with Disabilities Act (ADA) requirements do not have to be met.

#### 2.5.3.2 Large Residential Projects

For large residential projects that must go through a discretionary design review process and which typically require a use permit or a subdivision map, LID objectives are to be accomplished by applying the following principles to the design (§[17.43.010](#) and BGS):

1. Maintain and use existing natural drainage courses and vegetation by not filling in the natural drainage features at the site, preserving riparian areas and wetlands, maintaining invert/streambeds to maximize capacity, and providing vegetated setbacks or buffer strips outside of the maximum water surface level.
2. Conserve natural resources and areas by clustering development on the least environmentally sensitive portions of a site while leaving the remaining land in a natural, undisturbed condition.

3. Protect slopes and channels from eroding and impacting storm water runoff by:

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- i. Conveying runoff safely from the tops of slopes and stabilizing disturbed slopes.
  - ii. Utilizing natural drainage systems to the maximum extent practicable.
  - iii. Stabilizing permanent channel crossings.
  - iv. Vegetating slopes with native or drought tolerant vegetation, as appropriate.
  - v. Installing energy dissipaters, such as riprap, at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels
4. Minimize the amount of directly connected impervious surface and total area of impervious surface.
  5. Minimize the length of driveways and avoid installing curb and gutter along driveways and streets where appropriate, so that runoff from these areas can flow into adjacent landscaped or other permeable areas.
  6. In low-traffic areas, reduce sidewalk widths as much as possible while still being in compliance with ADA requirements.
  7. Incorporate or connect to existing on-site retention and infiltration measures.
  8. Direct rooftop runoff to permeable areas rather than driveways or impervious surfaces to reduce the amount of stormwater leaving the site.
  9. Minimize clearing and grading, and set aside open space to the extent feasible.
  10. Use alternate paving materials (e.g., porous asphalt, pervious concrete, and pavers), landscaping, mulch, gravel and cobbles where appropriate to provide ground cover, and reduce the use of asphalt or other impervious pavement. Pavers are recommended for driveways, walkways, and patios in single-family residences if ADA requirements do not have to be met. In non-residential areas, pavers are recommended for emergency access roads, overflow parking areas, and non-handicapped parking stalls, keeping in mind that some types of alternate paving materials may not be suitable where heavy loads such as trucks.
  11. In new residential areas reduce street width by eliminating on-street parking (where such actions do not pose a safety hazard). In addition to reducing the impervious area, this control has the added benefit of removing cars from streets and making street sweeping easier and more effective. If on-street parking in residential areas is eliminated, the developer must provide adequate off-street visitor parking.
  12. If alleys are included in a proposed development, width should be minimized or alternate paving materials should be used.
  13. Provide green areas in new residential developments where people can walk their pets and keep pet excrement away from sidewalks and streets where it may contribute to storm water pollution.
  14. Install landscaping or other cover materials to minimize erosion from graded surfaces. Promote the use of natural vegetation by using parking lot islands and other landscaped areas. Use of native plant materials is recommended because native plants require less maintenance and irrigation. Since native plants take longer to cover slopes, during the first few years supplemental protection (erosion blanket, mulch, etc.) may be necessary.
  15. Use low-maintenance landscaping that does not require frequent fertilizer, pesticide and herbicide application.
  16. Label all storm drain inlets and catch basins within the project area with prohibitive language (such as: "NO DUMPING – DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping. Legibility of stencils and signs must be maintained.
  17. Where possible, eliminate gutters/roof drains or direct runoff to landscaped areas. Roof drains can be eliminated only in one to two-story buildings. Where these cannot be eliminated, direct the downspout of the gutter to landscaped areas or into an infiltration trench. Install several gutters to distribute the flow.
  18. In new residential developments involving more than 50 units, construct a designated vehicle wash area so that the runoff from vehicle washing can be properly treated and/or disposed. Contact the local wastewater authority to determine if the discharge can be plumbed to the sanitary sewer. If not, provide appropriate treatment and disposal of this runoff.

19. Grade and pave outdoor waste receptacle areas to prevent run-on of storm water, and install a low containment berm around it. Alternately, construct a covered enclosure with wash-down capabilities plumbed into the sanitary sewer, after first contacting the local wastewater authority to verify that this practice will be acceptable.

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#### 2.5.4 Commercial Projects

For commercial projects, in addition to the applicable requirements in Section 2.5 and described elsewhere within this Manual, the following LID principles are to be incorporated into the design of all commercial projects, as appropriate (§[17.43.070](#) and BGS):

##### 2.5.4.1 Commercial Developments – General Requirements

###### 2.5.4.1.1 Loading/Unloading Dock Areas

1. Shall be covered or designed to minimize run-on and runoff of stormwater.
2. Shall have no direct connections to storm drains from depressed loading docks (truck wells).
3. Should have valve(s) on storm drain inlets receiving runoff from non-depressed loading docks to control runoff in the event of spills.

###### 2.5.4.1.2 Vehicle/Equipment Washing/Steam Cleaning Areas

1. Shall be self-contained and/or covered.
2. Shall be equipped with a clarifier or other pretreatment facility.
3. Shall be properly connected to a sanitary sewer.

###### 2.5.4.1.3 Parking Areas and Parking Lots

1. Shall be designed to minimize impervious surface land coverage.
2. Shall be designed to infiltrate runoff as much as feasible before it reaches the storm drain system.
3. Parking lots that are heavily used, e.g. lots with 25 or more parking spaces, performing arts parking lots, shopping malls, or grocery stores shall have treatment controls installed to treat any remaining runoff before it reaches the storm drain system. The treatment controls shall be designed to remove oil and petroleum hydrocarbons, and shall be operated and maintained to ensure that sludge and oil is removed at a frequency that will prevent the treatment controls from fouling or plugging.
4. If feasible, build underground or multi-story parking structures so that not only is impervious surface minimized but the parking surfaces are under a roof and not exposed to storm water.
5. Where possible use cooperative or shared parking. This may be a cooperative effort between commercial entities or between commercial entities and the City.

###### 2.5.4.1.4 Outdoor Material Storage Areas (areas or facilities used solely for the storage of materials)

1. Shall be designed to prevent stormwater contamination from stored materials.
2. Where outdoor areas for storage of materials are included that may contribute pollutants to the stormwater conveyance system, those materials shall be placed in an enclosure such as a cabinet, shed or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system, or shall be protected by secondary containment structures such as berms, dikes or curbs.
3. Shall be paved and sufficiently impervious to contain leaks and spills.
4. Shall have a roof or awning to minimize collection of stormwater within the secondary containment area.

###### 2.5.4.1.5 Trash Storage Areas (areas where a trash receptacle or receptacles are located for use as a repository for solid wastes):

1. Shall be designed to prevent stormwater contamination by loose trash and debris.
2. Shall have drainage from adjoining roofs and pavement diverted around the area(s).

3. Shall be screened or walled to prevent off-site transport of trash.

#### 2.5.4.2 Restaurants – Additional Specific Requirements

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1. Shall be designed to minimize runoff of oil and grease, solvents, phosphates, and suspended solids to the storm drain system.
2. Shall include an area for the washing/steam cleaning of equipment and accessories and which is self-contained, equipped with a grease trap, and properly connected to a sanitary sewer. If the wash area is to be located outdoors, it must be covered, paved, and have secondary containment which is connected to the sanitary sewer.

#### 2.5.4.3 Retail Gasoline Outlets and Automotive Repair Facilities – Additional Specific Requirements

##### 2.5.4.3.1 Fuel Dispensing Area

1. Shall be covered with an overhanging roof structure or canopy. The canopy's minimum dimensions must be equal to or greater than the area within the grade break. The canopy must not drain onto the fuel dispensing area, and the canopy downspouts must be routed to prevent drainage across the fueling area. As an alternative, the site must be served by an oil/water separator or other source or treatment control BMPs that will achieve equivalent mitigation.
2. Shall be paved with Portland cement concrete (or equivalent smooth impervious surface). The use of asphalt concrete is not allowable.
3. Shall have a 2% to 4% slope to prevent ponding, and must be separated from the rest of the site by a grade break that prevents run-on of stormwater to the extent practicable.
4. Shall at a minimum extend 6.5 feet (2.0 meters) from the corner of each fuel dispenser, or the length at which the hose and nozzle assembly may be operated plus one foot (0.3 meter), whichever is less.

##### 2.5.4.3.2 Repair/Maintenance Bays

1. Shall be indoors or designed in such a way that does not allow stormwater runoff or contact with stormwater runoff.
2. Shall have drainage systems designed to capture all wash water, leaks, and spills.
3. Shall have drains connected to a sump for collection and disposal.
4. Shall have no direct connections to the storm drain system.
5. Shall be covered by a State-issued Industrial Waste Discharge Permit, if so-required by the RWQCB.

### 3.0 EROSION AND DRAINAGE CONTROL PLANS (§[17.43.030](#))

An Erosion and Drainage Control Plan (EDCP) to minimize during- and post-construction polluted runoff containing the following information shall be included in the submitted design plans for new development that (a) increases site coverage by more than five percent of the site area, or (b) involves grading that will affect drainage patterns on or off the site, or (c) involves either a rebuild or construction of a new building:

1. Site design and source control BMPs that will be implemented to minimize post-construction polluted runoff, including details regarding how the project will use these BMPs to minimize adverse effects of the project on water quality.
2. Drainage improvements (e.g., locations of infiltration basins).
3. Potential flow paths where erosion may occur after construction.
4. Methods to accommodate on-site percolation, revegetation of disturbed portions of the site, address on-site and/or off-site impacts and construction of any necessary improvements.
5. Storm drain pollution prevention measures including all construction elements and BMPs to address the following goals in connection with both construction and long-term operation of the site:
  - 1) Maximize on-site retention and infiltration measures including directing rooftop runoff to permeable areas rather than driveways.

2) Maximize, to the extent practicable, the percentage of permeable surfaces and limit impervious areas that are directly connected to the City's storm drainage system in order to allow more percolation of runoff into the ground.

Attachment 1

#### 4.0 WATER QUALITY MITIGATION PLANS (§[17.43.030](#) AND BGS)

A Water Quality Mitigation Plan (WQMP) is required for any project which requires an EDCP and which either:

(1) Fails to adequately address water quality impacts using appropriate site design and source control measures, or

(2) Is in one of the following categories of development:

1. Single-Family Hillside Residences. Hillside means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is twenty-five percent or greater.

2. Industrial/Commercial Developments.

3. Automotive Repair Shops.

4. Retail Gasoline Outlets.

5. Restaurants.

6. Home Subdivisions with 10 or more housing units

7. Parking lots 5,000 square feet or more of impervious surface area or with 25 or more parking spaces and potentially exposed to storm water runoff

8. Projects that discharge to an Environmentally Sensitive Area (ESA) or coastal water. Such projects are defined as being all development and redevelopment located within or directly adjacent to or discharging directly to an environmentally sensitive area (where discharges from the development or redevelopment will enter receiving waters within the environmentally sensitive area). "Directly adjacent" means situated within 200 feet of the environmentally sensitive area. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.

In addition to the site design and source control BMPs being provided in the project, the WQMP shall include treatment control BMPs identified in Table 3 of Attachment 3 to minimize post-construction runoff of the types of pollutants listed in Table 1 of Attachment 3, which are characteristic of this type of project. The WQMP shall also include an operation and maintenance plan for these treatment control BMPs.

The WQMP shall be certified by a California Registered Civil Engineer or Licensed Architect approved by the City, and shall include the following information:

1. Site design, source control and treatment control BMPs that will be implemented to minimize post-construction polluted runoff.

2. Pre-development peak runoff rate and average volume.

3. Drainage improvements (e.g., locations of diversions/conveyances for upstream runoff).

4. Potential flow paths where erosion may occur after construction.

5. Methods to accommodate on-site percolation, revegetation of disturbed portions of the site, address on-site and/or off-site impacts, and construction of any necessary improvements.

6. Measures to treat, infiltrate, and/or filter runoff from impervious surfaces (e.g., roads, driveways, parking structures, building pads, roofs, patios, etc.) on the subject parcel(s) and to discharge the runoff in a manner that avoids erosion on or downslope of the subject parcel, the need for upgrades to the City's storm drainage system, discharge of pollutants (e.g., oil, heavy metals, toxics) to coastal waters, or other potentially adverse impacts. Such measures may include, but are not limited to, the use of structures (alone or in combination) such as biofilters and grasses waterways, on-site desilting basins, detention ponds, dry wells, etc.

7. Where treatment controls are required, information describing how the BMPs (or suites of BMPs) have been designed to infiltrate and/or treat the amount of stormwater runoff produced by all storms as described in Section 2.1.2 of this Manual. The actual type of treatment should be linked to the pollutants generated by the development as indicated in Table 1 of Attachment 3. Attachment 1

8. A long-term plan and schedule for the monitoring and maintenance of all drainage-control devices. All treatment control BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30th of each year. Owners of these devices will be responsible for insuring that they continue to function properly, and additional inspections should occur after storms as needed throughout the rainy season. Repairs, modifications, or installation of additional BMPs, as needed, should be carried out prior to the next rainy season. The City will determine if the treatment control BMPs require monitoring, and if so, the City must approve the monitoring program.

#### 5.0 ONGOING MAINTENANCE OF TREATMENT CONTROL BMPs (§[17.43.040](#) AND BGS)

If a project is required to include treatment control BMPs, the applicant will be required to provide verification of maintenance provisions for these BMPs through such means as may be appropriate, including, but not limited to legal agreements, covenants, CEQA mitigation requirements and/or Conditional Use Permits. Verification at a minimum shall include the developer's signed statement accepting responsibility for maintenance until the responsibility is legally transferred and either:

1. A signed statement from the public entity assuming responsibility for structural and treatment control BMP maintenance and that it meets all local agency design standards; or
2. Written conditions in the sales or lease agreement, which require the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year; or
3. Written text in project conditions, covenants, and restrictions (CCRs) for residential properties assigning maintenance responsibilities to the home owners association for maintenance of the structural and treatment control BMPs; or
4. Any other legally enforceable agreement acceptable to the City that assigns responsibility for the maintenance of post-construction structural and treatment control BMPs.

A sample form of Agreement to accomplish these objectives is contained in Attachment 4.

Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information will also be required with any subsequent sale of the property.

#### 6.0 SOURCES OF ADDITIONAL INFORMATION

Two excellent sources of additional information on many of the site design, source control, and treatment control topics and concepts discussed in this Manual are the California Stormwater Quality Association (CASQA) "New Development and Redevelopment Handbook," dated 2003, and the "City of Santa Barbara Storm Water BMP Guidance Manual (Technical Guidance Manual for Post-Construction Storm Water Management)," dated June 2008.

The CASQA document may be viewed and downloaded at the following website:

<http://www.cabmphandbooks.com>

The Santa Barbara document may be viewed and downloaded at the following website:

[http://www.santabarbaraca.gov/Resident/Community/Creeks/Low\\_Impact\\_Development.htm](http://www.santabarbaraca.gov/Resident/Community/Creeks/Low_Impact_Development.htm)

The BGS also contains a listing of reference documents on many of these same topics, but those may or may not be accessible via the internet.

The Monterey Stormwater Education Alliance website at <http://www.montereysea.org> also contains links to numerous sites with information on these topics.

#### ATTACHMENT 1

#### BMP Implementation Tracking Form

# BMP IMPLEMENTATION TRACKING FORM

The following are a list of BMPs that may be used to minimize or prevent the introduction of pollutants of concern that may result in significant impacts to receiving waters. Other BMPs that are equally or more effective in pollutant reduction than the comparable BMPs listed below may also be acceptable, if approved by the City. All BMPs must comply with local zoning and building codes and other applicable regulations.

In order to facilitate the design review and permitting process, when the application for the project is submitted to the City it should include a copy of this form with the Project Information filled-in and the applicable check boxes marked to indicate which of these BMPs have been incorporated into the design of the project. The locations of these BMPs should also be shown on the site plan for the project.

## Project Information

Owners Name: \_\_\_\_\_

Blk/Lot/APN: \_\_\_\_\_

Address: \_\_\_\_\_

Project Type (see Sections 2.5.2.3 and 2.5.3.4 of this Manual for Project Type descriptions):

☐ ☐ Small  
Residential

☐ ☐ Large  
Residential

If either of the above boxes is checked, the project will be subject to the Residential Project requirements described in Section 2.5.3.

☐ Commercial (describe type of business): \_\_\_\_\_

If this box is checked, the project will be subject to the Commercial Project requirements described in Section 2.5.4.

1.5 The project will create and/or replace  $\geq 2,500$  square feet of impervious surface (collectively over the entire project site), including detached single-family home projects. If this box is checked the project will be subject to Performance Requirement No. 1 as described in Section 2.5.1.

☐ The project is not a detached single family home but has a Net Impervious Area (as defined in Section 1.5)  $\geq 5,000$  square feet, or is a detached single family home project and has a Net Impervious Area  $\geq 15,000$  square feet. If this box is checked it will be subject to the more complex requirements of Performance Requirement No. 2: Water Quality Treatment described in Attachment 5.

1.6 The project has a Net Impervious Area  $\geq 15,000$  square feet, and is not a detached single family home. If this box is checked the project will be subject to additional requirements, and the applicant should meet with City staff to discuss and determine what those requirements will be.

1.7 Some part of the project site has a natural slope that is 25% or greater. If this box is checked the project will be subject to additional requirements for development on steep slopes as described in Section 2.5.2.

## Site Design BMPs

### Minimize Impervious Areas

☐ Reduce sidewalk widths where it is practicable

☐ Incorporate landscaped buffer areas between sidewalks and streets

☐ Design residential streets for the minimum required pavement widths



- ☐ Minimize the number of residential street cul-de-sacs and incorporate landscaped areas to reduce their impervious cover.
- ☐ Use open space development that incorporates smaller lot sizes
- ☐ Increase building density while decreasing the building footprint
- ☐ Reduce overall lot imperviousness by promoting alternative driveway surfaces and shared driveways that connect two or more homes together
- ☐ Reduce overall imperviousness associated with parking lots by providing compact car spaces, minimizing stall dimensions, incorporating efficient parking lanes, and using pervious materials in spillover parking areas

#### Increase Rainfall Infiltration

- ☐ Use permeable materials for private sidewalks, driveways, parking lots, and interior roadway surfaces (examples: hybrid lots, parking groves, permeable overflow parking, etc.)
- ☐ Direct rooftop runoff to pervious areas such as yards, open channels, or vegetated areas, and avoid routing rooftop runoff to the roadway or the urban runoff conveyance system

#### Maximize Rainfall Interception

- ☐ Maximize canopy interception and water conservation by preserving existing native trees and shrubs and planting additional native or drought-tolerant trees and large shrubs

#### Minimize Directly Connected Impervious Areas (DCIAs)

- ☐ Draining rooftops into adjacent landscaping prior to discharging to the storm drain

- ☐ Draining parking lots into landscape areas co-designed as biofiltration areas
- ☐ Draining roads, sidewalks, and impervious trails into adjacent landscaping

#### Slope and Channel Protection

- ☐ Use of existing natural drainage systems to the maximum extent feasible
- ☐ Stabilizing permanent channel crossings
- ☐ Planting native or drought-tolerant vegetation on slopes
- ☐ Using energy dissipaters, such as riprap, at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels

#### Maximize Rainfall Interception

- ☐ Cisterns
- ☐ Foundation planting

#### Increase Rainfall Infiltration

- ☐ Dry wells

#### Source Control BMPs

- ☐ Storm drain system stenciling and signage
- ☐ Regular street and parking lot sweeping
- ☐ Outdoor material and trash storage area designed to reduce or control rainfall runoff
- ☐ Efficient irrigation system

#### Treatment Control BMPs

##### Biofilters

- ☐ Grassy swale
- ☐ Grass strip

<input type="checkbox"/> Wetland vegetation swale	<input type="checkbox"/> Bioretention
--	---------------------------------------

Detention Basins

<input type="checkbox"/> Extended/dry detention basin with grass lining
<input type="checkbox"/> Extended/dry detention basin with impervious lining

Infiltration Basins

<input type="checkbox"/> Infiltration basin	<input type="checkbox"/> Infiltration trench	<input type="checkbox"/> Porous asphalt
<input type="checkbox"/> Porous concrete	<input type="checkbox"/> Porous modular concrete block	

Wet Ponds and Wetlands

<input type="checkbox"/> Wet pond (permanent pool)	<input type="checkbox"/> Constructed wetland
---	---

Drainage Inserts

<input type="checkbox"/> Oil/Water separator	<input type="checkbox"/> Catch basin insert
<input type="checkbox"/> Storm drain inserts	<input type="checkbox"/> Catch basin screens

Filtration Systems

<input type="checkbox"/> Media filtration	<input type="checkbox"/> Sand filtration
---	--

Hydrodynamic Separation Systems

<input type="checkbox"/> Swirl Concentrator	<input type="checkbox"/> Cyclone Separator
--	---

ATTACHMENT 2

Descriptions of Treatment Control BMPs

Source: Best Management Practices Guidance Series (BGS)

The BMPs described below are treatment control BMPs that can be built at new development and redevelopment sites to capture and treat the polluted runoff before it enters the City’s storm drain system or other receiving waters. Many of these are included in Table 3 of

Treatment controls must be designed such that volumes and flows in excess of the design rainfall event bypass the unit, otherwise there is the possibility of aggravating flooding and also causing resuspension of previously captured sediments or other constituents. Also, all of the treatment BMPs described below require some inspection, maintenance, and disposal of solids to ensure optimum performance and often to avoid flooding.

1. Rooftop Catchment Systems – These are rooftops which can sometimes be designed into large commercial and industrial sites to pool stormwater which, following the storm, evaporates. This effectively eliminates rooftop runoff from the storm drain system, and thereby reduces the hydraulically-connected impervious area. Another function of these systems is to slow down the runoff to reduce peaks. Problems with rooftop catchment systems are mainly related to leakage.

2. Vegetated Filter Strips – Vegetated filter strips, buffer strips, or riparian buffer zones are strips of vegetation placed between receiving waters (e.g., along streams) and pollutant sources. The effectiveness of the strips depends primarily on the width of the strip, and the vegetation type and condition. Strips of 100-300 feet in width are often considered. Such strips have been successfully applied to urban, agricultural, and forestry situations. Vegetation type selection must take into account the climate and usually should be drought-resistant. Maintenance is primarily annual cutting. Such strips are recommended for developments located along receiving waters such as streams, rivers and lakes, but outside the flood control boundary.

3. Vegetated Swales – Swales are shallow low gradient channels that are vegetated. They are commonly applied in rural residential areas in lieu of traditional curb/gutters and underground stormwater drainage pipes. Water quality improvement is achieved primarily through filtration, and performance is dependent on the swale hydraulic capacity and vegetation type and condition. Influent water should be relatively free of coarse sediment to avoid burying the vegetation. Where sediment loads are of concern, sediment settling basins can be provided upstream of the swales. Maintenance consists primarily of vegetation management and settling basin cleanouts. Swales are generally recommended for low-density residential developments located in relatively flat terrain.

4. Infiltration Basins – Infiltration basins store and infiltrate stormwater into the surficial groundwater aquifer. Performance is critically dependent on soil porosity and adequate depth to groundwater. Such conditions are typical of inland valleys, in contrast to low lying coastal areas. In order to maintain recharge rates, influent water may require pretreatment to remove sediments. Infiltration basins are effective at reducing runoff rates and volumes and can provide water supply benefits through aquifer recharge. Maintenance primarily consists of periodic removal of accumulated trash, debris and sediments to maintain recharge rates. Infiltration basins are generally recommended in areas where the depth to groundwater is relatively high and the soils are highly pervious. Where such conditions exist, this technology is generally applicable to the entire range of urban development, although the potential for groundwater contamination is often of concern in industrial areas.

5. Infiltration Trenches – Infiltration trenches are shallow drains filled with high porosity materials (e.g. gravel). Stormwater discharged to these trenches is stored during the runoff event and infiltrates into the groundwater during dry weather periods. As with infiltration basins, performance requires porous subsoils and adequate depth to the groundwater table. The acceptability and designs of infiltration trenches must take into consideration the potential for infiltrating water to adversely affect soil strength around foundations. Infiltration trenches are generally not recommended for roof runoff near buildings because of building code requirements; but can be effective as part of the overall open channel drainage system.

6. Dry Detention Ponds/Basins – These are basins designed to temporarily store and treat storm water prior to gradually releasing it downstream. Such basins can provide flood control and storm water treatment benefits. Treatment performance depends on storage volume (12-24 hours of residence time is considered a good rule of thumb), and good circulation (avoidance of short circuiting). A major factor limiting good performance is that, during larger storm runoff events, water entering a dry basin may resuspend previously settled material in which case the ponds may act as a source of sediment and associated chemicals. In general dry basins are not as effective as wet basins (discussed below), however, in certain arid areas, wet basins are not feasible. Performance of dry basins can be improved by incorporating slow release outlet structures. Such basins are generally applicable to residential, commercial, and industrial development in areas where there is insufficient runoff to maintain wet basins.

7. Retention Ponds/Wet Basins – These are basins that contain a permanent pool of water. Such ponds can provide flood control, ecological, and water quality benefits. The performance of wet basins depends on the size of the basin, watershed characteristics, and

influent conditions. The primary treatment process in retention ponds is settling. Maintenance is required for removing debris, vegetation management, and maintaining the inlet and outlet structures. Accumulation rates in such basins typically require that accumulated sediment be removed about once every 10-20 years. Retention ponds are generally applicable to most urban situations, as long as there is adequate space for the facility and acceptable geological conditions.

8. Constructed/Restored Wetlands – In addition to providing flood control and water supply benefits through artificial recharge of groundwater, constructed wetlands designed for stormwater management provide water quality benefits through a number of processes including sedimentation, filtration, absorption, biological processes, and nutrient uptake. Pollutant removal performance depends on the size of the wetland relative to the watershed, the design of the wetland, and the type and composition of wetland vegetation. Wetlands also provide additional ecological and recreational benefits. If a significant amount of sedimentation is anticipated, a deep settling basin could be constructed (which the water would enter prior to reaching the wetland). The basin would require periodic maintenance to remove accumulated sediment. Constructed wetlands require maintenance, especially in the first 5-10 years during which vegetation is growing and natural seeding is occurring. Providing suitable hydrologic conditions for vegetation growth and water treatment is key to successful performance of constructed wetlands. Constructed wetlands are generally applicable to most urban situations, as long as there is adequate space for the facility, an adequate source of water, and appropriate soils. In California, such wetlands would likely be seasonal in nature. The cost of urban lands often precludes this type of treatment in the more densely developed portions of urban areas.

A variation of this control is the use of existing wetlands for urban runoff treatment. Existing wetlands at or downstream of a new development/redevelopment project can be enhanced to improve hydrology, and runoff from the development project can be directed to the wetlands. Note that the dry detention ponds/basins, retention ponds/wet basins, and the constructed wetlands need to be periodically monitored for accumulation of toxic materials, and provisions made for cleanout and disposal pretreatment may be added (to remove heavy sediment trash and debris) to reduce maintenance. If a significant amount of sediment is anticipated, a deep settling basin could be constructed. This would also need to be periodically cleaned out to maintain capacity.

9. Filtration Systems – Filtration systems convey stormwater through filter media (e.g., sand, compost, charcoal) to treat the storm water. The chemicals treated vary depending on the type of media and may include fine sediment, colloidal material, hydrocarbons, organics, nutrients and dissolved metals. Such systems come in many sizes and designs including: (1) inserts placed in individual storm drain inlets, (2) linear units that treat stormwater from small impervious areas such as parking lots, and (3) large 1-2 acre sand filters that treat runoff from urban catchments. Filters are effective as long as the capacity of the filter is not exceeded, and the filter is not allowed to clog. Filter inserts are particularly problematic in this regard, and recent testing and evaluation questions their applicability where material in runoff will clog or block the filter. In stormwater applications filter systems are required to remove blocking materials (leaves, trash, debris, sediments, oil and grease) and storage to better manage flowrates. Experience to date with filter type inserts for drain inlets suggest that the units are easily clogged with sediment and debris, with resultant bypassing of most of the flows. Therefore, inserts are not recommended unless require frequent inspection and cleaning is performed. Filtration systems will have limited application in small well-maintained parking lots.

10. Oil/Grit Separators – Oil/grit (gravity) separators are usually multi-chambered treatment units that are placed underground and treat stormwater from a drainage catchment. The individual chambers often are designed to trap grit and floatables, and adsorb hydrocarbons. Flows in excess of the design capacity should be diverted around the unit, otherwise there is the possibility that sediment previously trapped in the chambers will be resuspended and flushed downstream. Inspection and maintenance is required to ensure that the units are not filling up with sediment, as accumulation can affect performance. Traditional gravity oil/water separators that utilize skimming devices and coalescing plates (to increase droplet size and capture) are generally not applicable to stormwater conditions where total hydrocarbon concentrations are generally less than 10 mg/l. The performance of oil/grit separators varies depending on the chosen design. Research should be done before selecting any separators to verify that they will perform as desired. In general, oil/grit separators are useful only at sites where there are chances that oil spills could occur and to a limited degree at development sites that have high oil and grease loadings such as petroleum storage yards and vehicle storage facilities.

ATTACHMENT 3

BMP IMPLEMENTATION TABLES

Table 1. Anticipated and Potential Pollutants Generated by Land Use Type

	General Pollutant Categories								
Priority Project Categories	Sediments	Nutrients	Heavy Metals	Organic Compounds	Trash and Debris	Oxygen Demanding Substances	Oil and Grease	Bacteria and Viruses	Attachment 1 Pesticides
Detached Residential Development	X	X			X	X	X	X	X
Attached Residential Development	X	X			X	P <sup>(1)</sup>	P <sup>(2)</sup>	P	X
Commercial Development >100,000 ft. <sup>2</sup>	P <sup>(1)</sup>	P <sup>(1)</sup>		P <sup>(2)</sup>	X	P <sup>(5)</sup>	X	P <sup>(3)</sup>	P <sup>(5)</sup>
Automotive Service Facilities			X	X <sup>(4)(5)</sup>	X		X		
Retail Gasoline Outlets			X	X <sup>(4)(5)</sup>	X		X		
Restaurants					X	X	X	X	
Hillside Development	X	X			X	X	X		X
Parking Lots	P <sup>(1)</sup>	P <sup>(1)</sup>	X		X	P <sup>(1)</sup>	X		P <sup>(1)</sup>
Streets, Highways and Freeways	X	P <sup>(1)</sup>	X	X <sup>(4)</sup>	X	P <sup>(5)</sup>	X		

X = anticipated

P = potential

(1) A potential pollutant if landscaping exists on-site

(2) A potential pollutant if the project includes uncovered parking areas

(3) A potential pollutant if land use involves food or animal waste products

(4) Including petroleum hydrocarbons

(5) Including solvents

**Table 2. Site Design and Source Control BMP Selection Matrix**

**Specific Areas for Implementation of Site Design and Source Control BMPs**

<b>Priority Project Categories</b>	<b>Driveways, Roads, and Guest Parking</b>	<b>Loading/Unloading Dock Areas</b>	<b>Repair/Maintenance Bays</b>	<b>Vehicle/Equipment Washing/Steam Cleaning Areas</b>	<b>Parking Areas</b>	<b>Fueling Areas</b>	<b>Outdoor Attachment Material Storage Areas</b>	<b>Trash Storage Areas</b>	<b>Pools and Spas</b>
Small Residential Development	R								R
Large Residential Development	R	R		R	R			R	R
General Commercial Development	R	R		R	R		R	R	
Automotive Service Facilities	R	R	R	R	R	R	R	R	
Retail Gasoline Outlets	R	R	R	R	R	R	R	R	
Restaurants	R	R		R	R		R	R	

R = Required – minimize pollutants of concern by selecting appropriate site design and source control BMPs

**Table 3. Treatment Control BMP Selection Matrix**

(1)

	<b>Treatment Control BMP Categories</b>						
<b>Pollutant of Concern</b>	<b>Biofilters</b>	<b>Detention Basins</b>	<b>Infiltration Basins<sup>(2)</sup></b>	<b>Wet Ponds or Wetlands</b>	<b>Drainage Inserts</b>	<b>Filtration</b>	<b>Hydrodynamic Separator Systems<sup>(3)</sup></b>
Sediment	M	H	H	H	L	H	M
Nutrients	L	M	M	M	L	M	L
Heavy Metals	M	M	M	H	L	H	L
Organic Compounds	U	U	U	U	L	M	L
Trash and Debris	L	H	U	U	M	H	M

	Treatment Control BMP Categories						
Pollutant of Concern	Biofilters	Detention Basins	Infiltration Basins <sup>(2)</sup>	Wet Ponds or Wetlands	Drainage Inserts	Filtration	Hydrodynamic Separator Systems <sup>(3)</sup>
Oxygen Demanding Substances	L	M	M	M	L	M	L
Bacteria	U	U	H	U	L	M	L
Oil and Grease	M	M	U	U	L	H	L
Pesticides	U	U	U	U	L	U	L

Attachment 1

(1) The City is encouraged to periodically assess the performance characteristics of many of these BMPs to update this table.

(2) Including trenches and porous pavement

(3) Also known as hydrodynamic devices and baffle boxes

L: Low removal efficiency

M: Medium removal efficiency

H: High removal efficiency

U: Unknown removal efficiency

Sources: Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters (1993), National Stormwater Best Management Practices Database (2001), and Guide for BMP Selection in Urban Developed Areas (2001).

#### ATTACHMENT 4

##### Sample Form of Agreement for Ongoing Maintenance of Treatment Control BMPs

Source: Best Management Practices Guidance Series (BGS)

##### Agreement Regarding Maintenance of Treatment Control BMPs (Best Management Practices)

for APN No. \_\_\_\_\_

\_\_\_\_\_, being the owner of the real property located at \_\_\_\_\_, California, consents and agrees to inspect and maintain annually, prior to September 30 of each year, the Treatment Control BMPs (such as silt and/or grease traps or detention systems) on the subject property as shown on the improvement plans dated \_\_\_\_\_, on file with the City of \_\_\_\_\_. I agree to forward a letter providing proof of inspection and maintenance to the City of \_\_\_\_\_ Public Works Department prior to October 15 of each year.

In order to transfer the property to a private or public owner, I shall require the recipient to assume responsibility for maintenance of any Treatment Control BMPs in the sales or lease agreement for that property. The condition of transfer shall include a provision that the new property owner agrees to forward a letter providing proof of BMP inspection and maintenance to the City of \_\_\_\_\_ Public Works Department prior to October 15 of each year.

Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information shall also be required with any subsequent sale of the property.

I have read the above agreement and understand it.



---

Date

## ATTACHMENT 5

## Additional RWQCB Post-Construction Performance Requirements

Source: "Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region" adopted by the RWQCB on July 12, 2013.

## 1) Performance Requirement No. 2: Water Quality Treatment

a) The Permittee shall require Regulated Projects, except detached single-family homes,  $\geq 5,000$  square feet of Net Impervious Area, and detached single-family homes  $\geq 15,000$  square feet of Net Impervious Area, to treat stormwater runoff as required in the Water Quality Treatment Performance Requirements in Section B.3.b. to reduce pollutant loads and concentrations using physical, biological, and chemical removal.

i) Net Impervious Area is the total (including new and replaced) post-project impervious areas, minus any reduction in total imperviousness from the pre-project to post-project condition:  $\text{Net Impervious Area} = (\text{New and Replaced Impervious Area}) - (\text{Reduced Impervious Area Credit})$ , where Reduced Impervious Area Credit is the total pre-project to post-project reduction in impervious area, if any.

b) The Permittee shall require each Regulated Project subject to Water Quality Treatment Performance Requirements to treat runoff generated by the Regulated Project site using the onsite measures below, listed in the order of preference (highest to lowest). Water Quality Treatment Performance Requirements shall apply to the runoff from existing, new, and replaced impervious surfaces on sites where runoff from existing impervious surfaces cannot be separated from runoff from new and replaced impervious surfaces.

i) Low Impact Development (LID) Treatment Systems – Implement harvesting and use, infiltration, and evapotranspiration Stormwater Control Measures that collectively achieve the following hydraulic sizing criteria for LID systems:

(1) Hydraulic Sizing Criteria for LID Treatment Systems – LID systems shall be designed to retain stormwater runoff equal to the volume of runoff generated by the 85th percentile 24-hour storm event, based on local rainfall data.

ii) Biofiltration Treatment Systems – Implement biofiltration treatment systems using facilities that must be demonstrated to be at least as effective as<sup>1</sup> a biofiltration treatment system with the following design parameters:

(1) Maximum surface loading rate appropriate to prevent erosion, scour and channeling within the biofiltration treatment system itself and equal to 5 inches per hour, based on the flow of runoff produced from a rain event equal to or at least:

(a) 0.2 inches per hour intensity; or

(b) Two times the 85th percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall depth

(2) Minimum surface reservoir volume equal to the biofiltration treatment system surface area times a depth of 6 inches

(3) Minimum planting medium depth of 24 inches. The planting medium must sustain a minimum infiltration rate of 5 inches per hour throughout the life of the project and must maximize runoff retention and pollutant removal. A mixture of sand (60%-70%) meeting the specifications of American Society for Testing and Materials (ASTM) C33 and compost (30%-40%) may be used. A Regulated Project may utilize an alternative planting medium if it demonstrates its planting medium is equal to or more effective at attenuating pollutants than the specified planting medium mixture.

(4) Proper plant selection<sup>2</sup>

(5) Subsurface drainage/storage (gravel) layer with an area equal to the biofiltration treatment system surface area and having a minimum depth of 12 inches

(6) Underdrain with discharge elevation at top of gravel layer

(7) No compaction of soils beneath the biofiltration facility (ripping/loosening of soils required if compacted)

Attachment 1

(8) No liners or other barriers interfering with infiltration, except for situations where lateral infiltration is not technically feasible.

iii) Non-Retention Based Treatment Systems – Implement Stormwater Control Measures that collectively achieve at least one of the following hydraulic sizing criteria for non-retention based treatment systems:

(1) Hydraulic Sizing Criteria for Non-Retention Based Treatment Systems:

(a) Volume Hydraulic Design Basis – Treatment systems whose primary mode of action depends on volume capacity shall be designed to treat stormwater runoff equal to the volume of runoff generated by the 85th percentile 24-hour storm event, based on local rainfall data.

(b) Flow Hydraulic Design Basis – Treatment systems whose primary mode of action depends on flow capacity shall be sized to treat:

(i) The flow of runoff produced by a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall depths; or

(ii) The flow of runoff resulting from a rain event equal to at least 0.2 inches per hour intensity.

c) Stormwater Control Plan Requirements – For each Regulated Project subject to the Water Quality Treatment Performance Requirement, the Permittee shall require the Project Applicant to provide the below information in a Stormwater Control Plan. The Permittee shall not grant final project approval, until the Stormwater Control Plan for the Regulated Project sufficiently demonstrates the Regulated Project design meets the Water Quality Treatment Performance Requirements.

i) Project name, application number, location including address and assessor's parcel number

ii) Name of Applicant

iii) Project Phase number (if project is being constructed in phases)

iv) Project Type (e.g., commercial, industrial, multi-unit residential, mixed-use, public), and description

v) Total project site area

vi) Total new impervious surface area, total replaced impervious surface area, total new pervious area, and calculation of Net Impervious Area

vii) Statement of Water Quality Treatment Performance Requirements that apply to the Project

viii) Summary of Site Design and Runoff Reduction (Performance Requirement No. 1) measures selected for the project

ix) Description of all post-construction structural Stormwater Control Measures

x) Supporting calculations used to comply with the applicable Water Quality Treatment Performance Requirements

xi) Documentation certifying that the selection, sizing, and design of the Stormwater Control Measures meet the full or partial Water Quality Treatment Performance Requirement

xii) Water quality treatment calculations used to comply with Water Quality Treatment Performance Requirement and any analysis to support infeasibility determination

xiii) Statement of Compliance:

(1) Statement that Water Quality Treatment Performance Requirement has been met on-site, or, if not achievable:

(a) Documentation of the volume of runoff for which compliance cannot be achieved on-site and the associated off-site compliance requirements.

(b) Statement of intent to comply with Water Quality Treatment Performance Requirement through Alternative Compliance

## 2) Performance Requirement No. 3: Runoff Retention

a) The Permittee shall require Regulated Projects, except detached single-family homes, that create and/or replace  $\geq 15,000$  square feet of impervious surface (collectively over the entire project site), and detached single-family homes  $\geq 15,000$  square feet of Net Impervious Area, in WMZs 1, 2, 5, 6, 8 and 9, and those portions of WMZs 4, 7, and 10 that overlie designated Groundwater Basins (Attachment B) to meet the Runoff Retention Performance Requirements in Sections B.4.b. and B.4.c. using the LID Development Standards in Section B.4.d. for optimal management of watershed processes.

b) Adjustments to the Runoff Retention Performance Requirements for Redevelopment – Where the Regulated Project includes replaced impervious surface, the below adjustments apply. These adjustments are accounted for in the Retention Tributary Area calculation in Attachment D.

i) Redevelopment Projects outside an approved Urban Sustainability Area, as described in Section C.3. – The total amount of replaced impervious surface shall be multiplied by 0.5 when calculating the volume of runoff subject to Runoff Retention Performance Requirements.

ii) Redevelopment Projects located within an approved Urban Sustainability Area (Section C.3.) – The total amount of runoff volume to be retained from replaced impervious surfaces shall be equivalent to the pre-project runoff volume retained.

c) The Permittee shall require Regulated Projects, subject to the Runoff Retention Performance Requirements, to meet the following Performance Requirements:

i) Watershed Management Zone 1 and portions of Watershed Management Zones 4, 7 and 10 which overlie designated Groundwater Basins:

(1) Retain 95th Percentile Rainfall Event – Prevent offsite discharge from events up to the 95th percentile 24-hour rainfall event as determined from local rainfall data.<sup>3</sup>

(2) Compliance must be achieved by optimizing infiltration. Compliance for retention of the remaining volume must be achieved via storage, rainwater harvesting and/or evapotranspiration.

ii) Watershed Management Zone 2:

(1) Retain 95th Percentile Rainfall Event – Prevent offsite discharge from events up to the 95th percentile 24-hour rainfall event as determined from local rainfall data.

(2) Compliance must be achieved via storage, rainwater harvesting, infiltration, and/or evapotranspiration.

iii) Watershed Management Zones 5 and 8:

(1) Retain 85th Percentile Rainfall Event – Prevent offsite discharge from events up to the 85th percentile 24-hour rainfall event as determined from local rainfall data.

(2) Compliance must be achieved by optimizing infiltration. Compliance for retention of the remaining volume must be achieved via storage, rainwater harvesting and/or evapotranspiration.

iv) Watershed Management Zones 6 and 9:

(1) Retain 85th Percentile Rainfall Event – Prevent offsite discharge from events up to the 85th percentile 24-hour rainfall event as determined from local rainfall data.

(2) Compliance must be achieved via storage, rainwater harvesting, infiltration, and/or evapotranspiration.

d) LID Development Standards – The Permittee shall require Regulated Projects, subject to Runoff Retention Performance Requirements, to meet Runoff Retention Performance Requirements (Sections B.4.b. and B.4.c.) using the following LID Development Standards:

i) Site Assessment Measures – Permittees shall require the applicant for each Regulated Project to identify opportunities and constraints to implement LID Stormwater Control Measures. Permittees shall require the applicant to document the following, as appropriate to the

development site:

Attachment 1

- Site topography
- Hydrologic features including contiguous natural areas, wetlands, watercourses, seeps, or springs
- Depth to seasonal high groundwater
- Locations of groundwater wells used for drinking water
- Depth to an impervious layer such as bedrock
- Presence of unique geology (e.g., karst)
- Geotechnical hazards
- Documented soil and/or groundwater contamination
- Soil types and hydrologic soil groups
- Vegetative cover/trees
- Run-on characteristics (source and estimated runoff from offsite which discharges to the project area)
- Existing drainage infrastructure for the site and nearby areas including the location of municipal storm drains
- Structures including retaining walls
- Utilities
- Easements
- Covenants
- Zoning/Land Use
- Setbacks
- Open space requirements
- Other pertinent overlay(s)

ii) Site Design Measures – Permittees shall require the applicant for each Regulated Project to optimize the use of LID site design measures, as feasible and appropriate at the project site. Regulated Projects subject to Performance Requirement No. 3 must augment design strategies required by Performance Requirement No. 1 (Section B.2.a.i-v) with the following:

- Define the development envelope and protected areas, identifying areas that are most suitable for development and areas to be left undisturbed
- Conserve natural areas, including existing trees, other vegetation, and soils
- Limit the overall impervious footprint of the project
- Construct streets, sidewalks, or parking lot aisles to the minimum widths necessary, provided that public safety or mobility uses are not compromised
- Set back development from creeks, wetlands, and riparian habitats
- Conform the site layout along natural landforms
- Avoid excessive grading and disturbance of vegetation and soils

iii) Delineation of discrete Drainage Management Areas (DMAs) – The Permittee shall require each Regulated Project to delineate DMAs to support a decentralized approach to stormwater management.

Attachment 1

(1) The Permittee shall require the applicant for each Regulated Project to provide a map or diagram dividing the entire project site into discrete DMAs

(2) The Permittee shall require the applicant for each Regulated Project to account for the drainage from each DMA using measures identified in Sections B.4.d.iv. and B.4.d.v., below.

iv) Undisturbed and Natural Landscape Areas – Permittees shall require each Regulated Project to implement appropriate Site Design (Section B.4.d.ii.), and Runoff Reduction Measures in Performance Requirement No. 1, to reduce the amount of runoff for which retention and treatment is required. Runoff reduction measures that can be used to account for this reduction also include the below measures. The Retention Tributary Area calculation in Attachment D accounts for these reductions.

(1) Undisturbed or areas planted with native, drought-tolerant, or LID appropriate vegetation that do not receive runoff from other areas may be considered self-treating and no additional stormwater management is required.

(2) Runoff from impervious surfaces, generated by the rainfall events identified in Section B.4.c, may be directed to undisturbed or natural landscaped areas. When the applicant can demonstrate that this runoff will be infiltrated and will not produce runoff to the storm drain system, or a surface receiving waterbody, or create nuisance ponding that may affect vegetation health or contribute to vector problems, then no additional stormwater management is required for these impervious surfaces.

v) Structural Stormwater Control Measures – Where Regulated Project Applicants have demonstrated in their Stormwater Control Plans, and the Permittee has confirmed, that use of Site Design measures listed in Section B.4.d.ii., Runoff Reduction measures listed in Performance Requirement No. 1, and undisturbed and natural landscape areas discussed in Section B.4.d.iv., has been maximized to the extent feasible, Structural Stormwater Control Measures designed for water quality treatment and/or flow control shall be used to comply with Performance Requirement No. 3.

(1) The Permittee shall require the Regulated Project applicant to use structural Stormwater Control Measures that optimize retention and result in optimal protection and restoration of watershed processes, such as Structural Control Measures associated with small-scale, decentralized facilities designed to infiltrate, evapotranspire, filter, or capture and use stormwater.

vi) Hydrologic Analysis and Structural Stormwater Control Measure Sizing – To determine Stormwater Control Measure sizing and design, Permittees shall require Regulated Project applicants to use one of the following: 1) hydrologic analysis and sizing methods as outlined in Attachment D; 2) locally/regionally calibrated continuous simulation model that results in equivalent optimization of on-site runoff volume retention; or 3) hydrologic analysis and sizing methods, equally effective in optimizing on-site retention of the runoff generated by the rainfall event specified in Section B.4.c, that have been approved by the Central Coast Water Board Executive Officer.

e) Ten Percent Adjustment for Sites with Technical Infeasibility – Where technical infeasibility, as described in Section C.1.c., prevents full on-site compliance with the Runoff Retention Performance Requirement, on-site retention of the full Retention Volume per Section B.4.d.vi. is not required and the Regulated Project is required to dedicate no less than ten percent of the Regulated Project's Equivalent Impervious Surface Area<sup>4</sup> to retention-based Stormwater Control Measures.

i) Use the Attachment E instructions to calculate the ten percent adjustment for applying the Runoff Retention Performance Requirement.

ii) The Water Quality Treatment Performance Requirement is not subject to this adjustment, i.e., mitigation to achieve full compliance with the Water Quality Treatment Performance Requirement is required on- or off-site.

f) Off-Site Mitigation – Off-site mitigation is required when Regulated Projects do not retain the full Retention Volume per Section B.4.b and B.4.c, and 1) fail to demonstrate technical infeasibility of full retention; or 2) demonstrate technical infeasibility of full retention AND fail to dedicate at least ten percent of the Regulated Project's Equivalent Impervious Surface Area to retention-based Stormwater Control Measures.

i) Use the Attachment F instructions to calculate the Off-Site retention requirements when a Regulated Project subject to the Runoff Retention Performance Requirement does not allocate the full ten percent of the project site's Equivalent Impervious Surface Area to retention-based Stormwater Control Measures.

g) Reporting Requirements – For each Regulated Project subject to the Runoff Retention Performance Requirement, the Permittee shall require the Project Applicant to provide the below information in a Stormwater Control Plan. The Permittee shall not grant final project approval, until the Stormwater Control Plan for the Regulated Project sufficiently demonstrates the Regulated Project design meets the Water Quality Treatment and Runoff Retention Performance Requirements.

- i) Project Name, application number, and location including address and assessor's parcel number
- ii) Name of Applicant
- iii) Project Phase number (if project is being constructed in phases)
- iv) Project Type (e.g., commercial, industrial, multiunit residential, mixed-use, public), and description
- v) Total project site area
- vi) Total new and/or replaced impervious surface area
- vii) Statement of Water Quality Treatment and Runoff Retention Performance Requirements that apply to the Project
- viii) Adjusted Requirements based on the local jurisdiction's approval, that the Project is allowed a Special Circumstance, Watershed or Regional Plan, or Urban Sustainability Area designation
- ix) Site assessment summary
- x) LID Measures used:
  - (1) Site design measures
  - (2) Runoff Reduction Measures
  - (3) Post-construction structural Stormwater Control Measures
- xi) Summary of Runoff Reduction Measures and Structural Stormwater Control Measures, by Drainage Management Area, as well as for the entire site
- xii) Supporting calculations used to comply with the applicable Water Quality Treatment and Runoff Retention Performance Requirements
- xiii) Documentation demonstrating infeasibility where Site Design and Runoff Reduction measures cannot retain required runoff volume
- xiv) Documentation demonstrating infeasibility where retention-based Stormwater Control Measures cannot retain and/or treat the required runoff volume
- xv) Documentation demonstrating infeasibility where on-site compliance cannot be achieved
- xvi) Documentation demonstrating percentage of the project's Equivalent Impervious Surface Area dedicated to retention-based Stormwater Control Measures
- xvii) Documentation of certification that the selection, sizing, and design of the Stormwater Control Measures meets the applicable Water Quality Treatment and Runoff Retention Performance Requirement
- xviii) O&M Plan for all structural Stormwater Control Measures to ensure long-term performance
- xix) Owner of facilities
- xx) Statement of Compliance:
  - (1) Statement that the Water Quality Treatment and Runoff Retention Performance Requirements have been met on-site, or, if not achievable:
    - (a) Documentation of the volume of runoff for which compliance cannot be achieved on-site and the associated off-site compliance volume.

(b) Statement of intent to comply with Water Quality Treatment and Runoff Retention Performance Requirements through an Alternative Compliance agreement.

Attachment 1

5) Performance Requirement No. 4: Peak Management

The Permittee shall require all Regulated Projects that create and/or replace  $\geq 22,500$  square feet of impervious surface (collectively over the entire project site) in Watershed Management Zones 1, 2, 3, 6, and 9 to manage peak stormwater runoff as required below (Section B.5.a.i.), and to meet Water Quality Treatment and Runoff Retention Performance Requirements.

a) The Permittee shall apply the following Peak Management Performance Requirements:

i) Post-development peak flows, discharged from the site, shall not exceed pre-project peak flows for the 2- through 10-year storm events.

b) Reporting Requirements – For each Regulated Project subject to the Peak Management Performance Requirement, the Permittee shall require the Project Applicant to provide the below information in a Stormwater Control Plan. The Permittee shall not grant final project approval, until the Stormwater Control Plan for the Regulated Project sufficiently demonstrates the Regulated Project design meets the Water Quality Treatment, Runoff Retention, and Peak Management Requirements.

i) Project Name, application number, and location including address and assessor's parcel number

ii) Name of Applicant

iii) Project Phase number (if project is being constructed in phases)

iv) Project Type (e.g., commercial, industrial, multiunit residential, mixed-use, public), and description

v) Total project site area

vi) Total new and/or replaced impervious surface area

vii) Statement of Water Quality Treatment, Runoff Retention, and Peak Management Performance Requirements that apply to the Project

viii) Adjusted Requirements based on the local jurisdiction's approval, that the Project is allowed a Special Circumstance, Watershed or Regional Plan, or Urban Sustainability Area designation

ix) Site assessment summary

x) LID Measures used:

(1) Site design measures

(2) Runoff Reduction Measures

(3) Post-construction structural Stormwater Control Measures

xi) Summary of Runoff Reduction Measures and Structural Stormwater Control Measures, by Drainage Management Area, as well as for the entire site

xii) Supporting calculations used to comply with the applicable Water Quality Treatment, Runoff Retention, and Peak Management Performance Requirements

xiii) Documentation demonstrating infeasibility where on-site compliance cannot be achieved

xiv) Documentation of certification that the selection, sizing, and design of the Stormwater Control Measures meets the applicable Water Quality Treatment, Runoff Retention, and Peak Management Performance Requirements

xv) O&M Plan for all structural SCMs to ensure long-term performance

xvi) Owner of facilities

xvii) Statement of Compliance:

(1) Statement that the Water Quality Treatment, Runoff Retention, and Peak Management Performance Requirements have been met on-site, or, if not achievable:

Attachment 1

(a) Documentation of the volume of runoff for which compliance cannot be achieved on-site and the associated off-site compliance requirements.

(b) Statement of intent to comply with Water Quality Treatment, Runoff Retention, and Peak Management Performance Requirements through an Alternative Compliance agreement.

#### 4) Performance Requirement No. 5: Special Circumstances

The Permittee may designate Regulated Projects as subject to Special Circumstances based on certain site and/or receiving water conditions. The Special Circumstances designation exempts a Regulated Project from Runoff Retention and/or Peak Management Performance Requirements where those Performance Requirements would be ineffective to maintain or restore beneficial uses of receiving waters. The Regulated Project subject to Special Circumstances must still comply with the Water Quality Treatment Performance Requirements.

a) Special Circumstances include:

i) Highly Altered Channel Special Circumstance:

The Permittee may designate Regulated Projects as subject to Special Circumstances for Highly Altered Channels for the following conditions:

(1) Project runoff discharges into stream channels that are concrete-lined or otherwise continuously armored from the discharge point to the channel's confluence with a lake, large river (>200-square mile drainage area).

(2) Project runoff discharges to a continuous underground storm drain system that discharges directly to a lake, large river (>200-square mile drainage area), the San Lorenzo River in the City of Santa Cruz, or marine nearshore waters

(3) Project runoff discharges to other areas identified by the Central Coast Water Board

(4) Under no circumstance described in 6.a.i. can runoff from the Regulated Project result in adverse impacts to downstream receiving waters

ii) Intermediate Flow Control Facility Special Circumstance:

(1) The Permittee may designate Regulated Projects as subject to Special Circumstances for Intermediate Flow Control Facilities if the project runoff discharges to an existing (as of the date when the Central Coast Water Board approved Resolution R3-2012-0025) flow control facility that regulates flow volumes and durations to levels that have been demonstrated to be protective of beneficial uses of the receiving water downstream of the facility.

(2) The flow control facility must have the capacity to accept the Regulated Project's runoff.

(3) Demonstration of facility capacity to accept runoff and to regulate flow volumes and durations must include quantitative analysis based on numeric, hydraulic modeling of facility performance.

(4) Under no circumstance described in Section B.6.a.ii. can runoff from the Regulated Project result in adverse impacts to downstream receiving waters.

iii) Historic Lake and Wetland Special Circumstance:

(1) The Permittee may designate Regulated Projects as subject to Special Circumstances for Historic Lakes and Wetlands for the following conditions:

(a) Project is located where there was once a historic lake or wetland where pre-development hydrologic processes included filtration and storage but no significant infiltration to support downstream receiving water.

(b) The Special Circumstance has been established based on a delineation of the historic lake or wetland approved by the Central Coast Water Board Executive Officer



b) Performance Requirements for Highly Altered Channel and/or Intermediate Flow Control Facility Special Circumstances:

i) For Regulated Projects that: 1) create and/or replace  $\geq 22,500$  square feet of impervious surface; 2) are located in WMZs 1, 2, 5, and 8, and those portions of WMZs 4, 7, and 10 that overlie a designated Groundwater Basin: Attachment 1

(1) Water Quality Treatment (Performance Requirement No. 2)

(2) Runoff Retention (Performance Requirement No. 3)

ii) For Regulated Projects that: 1) create and/or replace  $\geq 22,500$  square feet of impervious surface; and 2) are located in WMZs 3, 6, and 9, and those portions of WMZs 4, 7, and 10 that do not overlie a designated Groundwater Basin:

(1) Water Quality Treatment (Performance Requirement No. 2)

c) Performance Requirements for Historic Lake and Wetland Special Circumstances

i) For Regulated Projects that create and/or replace  $\geq 15,000$  and  $< 22,500$  square feet of impervious surface and meet the Historic Lake and Wetland Special Circumstance:

(1) Water Quality Treatment (Performance Requirement No. 2)

(2) Detention: Detain runoff such that the post-project peak discharge rate does not exceed the pre-project rate for all runoff up to the 95th percentile 24-hr rainfall event, or a more protective rate consistent with the Permittee's own development requirements

ii) For Regulated Projects that create and/or replace  $\geq 22,500$  square feet of impervious surface and meet the Historic Lake and Wetland Special Circumstance:

(1) Water Quality Treatment (Performance Requirement No. 2)

(2) Peak Management: Detain runoff such that the post-project peak discharge rate does not exceed the pre-project rate for the 95th percentile 24-hr rainfall event and the 2- through 10-yr storm events or a more protective rate consistent with the Permittee's own development requirements.

d) Documentation and Approval of Special Circumstances – The Permittee shall provide reasonable documentation to justify that a Regulated Project is more appropriately categorized under the Special Circumstances category.

i) Historic Lake and Wetland Special Circumstance – Prior to granting a Regulated Project Special Circumstances, the Permittee shall submit a proposal to the Central Coast Water Board Executive Officer for review and approval. The proposal shall include, at a minimum:

(1) Delineation of historic lakes and wetlands and any supporting technical information to substantiate the requested Special Circumstances designation; and

(2) Documentation that the proposal was completed by a registered professional engineer, geologist, architect, and/or landscape architect.

(Ord. 2014-01 § 1 (Exh. A), 2014).

## Appendix J BMP Guidance Series.

Updated February 4, 2014

### COMMERCIAL WASHING AND CLEANING

This guidance specifies Best Management Practices (BMPs) for commercial washing and cleaning that shall be employed to protect water quality. Additional best management practices, measures and controls shall be employed as applicable and to the maximum extent practicable to prevent pollutants from entering storm water runoff.

### BMPS APPLICABLE TO MOBILE CAR WASHERS AND CAR DETAILERS

The Goal and Purpose of these BMPs is to minimize or prevent the discharge of pollutants into storm drains from vehicle and equipment cleaning operations by either (1) discharging wash waters to the sanitary sewer, (2) containing wash water for offsite disposal, or (3)

directing wash water (without cleaners) to landscaped areas.

Use These Best Management Practices:

Attachment 1

**BMP-1 Planning:** Determine what collection method you will be using and where you are going to discharge wash water before starting a new job. Identify where all storm drains are located in the vicinity of the jobsite. Never discharge wastewater into a street, ditch, storm drain, or maintenance hole. Obtain all necessary permits and authorizations. If you are going to discharge into the sanitary sewer system at the job site, or on unpaved areas at the job site, always obtain the property owner's permission.

**BMP-2 Pre-Clean the Work Area:** Before starting work sweep or vacuum the work area to pick up litter, trash, debris, dirt, and other materials which could become mixed in with the wash water. Use absorbents (such as rags, absorbent mats or pads, rice hull ash, cat litter, vermiculite, or sand) to pick up greasy or oily materials and spills. Waste materials from pre-cleaning may often be disposed of in the trash. Check with the local solid waste authority to be sure. Rags may be sent to an industrial laundry. Know which pre-cleaning wastes may be hazardous wastes. If there is any question as to whether a wash water, or waste material, is considered to be a hazardous material, check with the Monterey County Division of Environmental Health to make this determination and properly dispose of these materials.

**BMP-3 Washing and Detailing:** Minimize the amount of water used during washing and detailing to reduce the amount of wash water that will need to be disposed. Avoid cleaning products that contain hazardous substances (e.g. hydrofluoric acid, muriatic acid, sodium hydroxide, bleach, etc.) that can create hazardous waste. When possible, avoid using soap and solvents – even biodegradable soap is harmful to the environment. If soap is used, use phosphate-free, non-toxic, biodegradable soap. Any soap, including those labeled “biodegradable” does not belong in creeks, ocean or ground-water. They are harmful to aquatic life and should never be misconstrued as safe for direct disposal to surface waters (i.e., storm drains).

**BMP-4 Wash Water Containment and Collection:** Contain and collect the wash water and dispose of it as described below. Decide what is the best method of collection (e.g., berms, storm drain cover mats, containment pools, vacuums/pumps, vacuum boom, inflatable pipe plug, etc). Locate property high and low spots to determine where wash water can be pooled for collection.

Wash water that contains visible debris or residue, soap, detergent or other cleaning agents, hazardous waste, or excessive amounts of any pollutant, may not be left on paved surfaces to evaporate because the residues will eventually be discharged to the storm drain system. However, small amounts of wash water that cannot reasonably be collected may be allowed to evaporate on a paved surface.

Wash water from the rinsing of new or used vehicles for dust removal only, using no soap may be discharged to the storm drain or and unpaved area, if the wash water does not flow through oil deposits or other surface contaminants.

Promptly clean up any spill of liquid or solid wastes. Do not hose down an area to clean up a spill, unless the liquid will be completely contained, cleaned up and disposed of to sanitary sewer or offsite as appropriate for the waste type.

If Possible, Either:

1) Use a designated wash area that is paved and protected by permanent or movable berms, dikes, and mats. Contain the wash-water and vacuum it up or otherwise collect it for disposal. Do not allow wash water to leave the property. If the driveway is an avenue for runoff it must be bermed to contain the wash-water.

OR

2) Conduct washing and detailing on a pervious unpaved area such as lawn, dirt, or gravel so that the wash water will be retained and percolate within these areas. Keep washing activities away from storm drains or water conveyances, so that the wash water will infiltrate into the ground and not flow to the storm drains or creeks. This option applies to sites where only one or two vehicles are cleaned every couple of weeks. Do not use this option just before or after a rainstorm.

If Neither of These Approaches is Feasible:

Collect and contain the wash water and prevent it from flowing into any storm drains by sealing or plugging them, or by protecting them with a berm or other means. For information about containing wash water, see the Section titled “Devices That May be Used to Contain and Collect Wash Water.”

**BMP-5 Wash Water Disposal:** Do not discharge wash water to storm drain. Once wash water has been collected, either (1) discharge it to the sanitary sewer, or septic system via the sanitary sewer clean-out or sanitary sewer inlet at the point of generation (job site), (2) discharge it to landscaping or other suitable unpaved areas, or (3) collect it in a container for later disposal at an appropriate off-site location. Such locations could include a liquid waste receiving facility at a municipal wastewater treatment plant, such as MRWPCA's Regional Treatment Plant located north of the City of Marina, or the sanitary sewer at the pressure washer's place of business using the sewer clean out. Use of disposal options (1) and (2) require the property owner's permission.

Discharges must be in compliance with the wastewater authority's Sewer Use Ordinance, or other applicable regulations of the authority. For the Monterey Regional Water Pollution Control Agency (MRWPCA), the applicable Ordinances are MRWPCA's Sewer Use Ordinance 2008-01, which can be accessed at <http://www.mrwPCA.org/ordinances>. For the Carmel Area Wastewater District (CAWD), the applicable Ordinance is CAWD's Ordinance 91-03.

When cleaning surfaces such as buildings and decks without loose paint, sidewalks, or plazas without soap, thorough dry cleanup should normally be sufficient to allow the wash water to be discharged to the sanitary sewer without pretreatment. However, if any debris is present in the wash water it should first pass through a "20 mesh" or finer screen to remove the material before discharging it to the sanitary sewer. The material that is removed should be disposed of in the trash.

Discharges of wash water to a septic system must be approved by the Monterey County Division of Environmental Health. Discharges that contain hazardous waste, have the potential to harm septic systems, or are likely to contaminate groundwater, will not be approved.

With the property owner's permission wash water can sometimes be disposed of to landscaping or other unpaved areas. If this means of disposal is being considered, first check the slope of the intended disposal area to be sure there will be no runoff into a street, gutter, or waterway. Also, ensure that the wash water will not create a nuisance condition or contain food products or contaminants (i.e. solvents, cleaners, oils, metals, etc.) that may constitute a hazardous waste. If disposal to landscaped areas is being considered, avoid damage to plants and soil by minimizing or eliminating the use of soaps, detergents, and chemicals. In addition, minimize the use of water to avoid wash water overflowing from these areas. Repeated discharges to landscaped areas may result in an accumulation of contaminants, thus damaging vegetation and increasing contaminant levels in the soil. If the soil is very dry, wet it down thoroughly before discharging, so that wash water will soak into the soil instead of running off to the street, gutter, or storm drain. Wash water disposal to land must not create a nuisance condition. Wash water containing garbage, food wastes, or visible trash may not be discharged to land.

Be sure to read cleaning product labels before disposing of wash water. Follow use and disposal instructions carefully. If there is any question as to whether a wash water, or waste material, is considered to be a hazardous material, check with the Monterey County Division of Environmental Health to make this determination and properly dispose of these materials. Depending on the condition of the surface being cleaned, the wastewater generated could be classified as hazardous waste. Some examples include:

1. Wastewater generated from parking lots, storage areas, and gas stations may contain oil, gas, solvents, antifreeze, metals, and/or pesticides.
2. Washing building exteriors with paint made prior to 1978 may contain lead.

Generating hazardous waste may dramatically increase operating costs and limit disposal options. Contact the Monterey County Division of Environmental Health for more information on hazardous waste determination and disposal.

#### **BMPs APPLICABLE TO THE WASHING AND/OR CLEANING OF EXTERIOR SURFACES (E.G. SIDEWALKS, PARKING LOTS, BUILDING EXTERIORS, ETC.)**

The Goal and Purpose of these BMPs is to minimize or prevent the discharge of pollutants into storm drains from washing and/or cleaning operations by either (1) discharging wash waters to the sanitary sewer, (2) containing wash water for offsite disposal to a suitable discharge facility, or (3) directing wash water to landscaped or other unpaved areas.

These BMPs apply to cleaning and/or power washing of surfaces including, but not limited to, sidewalks and plazas; parking areas; driveways, drive-thrus; restaurant/food handling cleaning and storage areas; building exteriors, roofs and decks; painted surfaces being cleaned to remove paint or graffiti; and graffiti removal.

Use These Best Management Practices:

**BMP-1 Planning:** Determine what collection method you will be using and where you are going to discharge wastewater before starting a new job. Identify where all storm drains are located in the vicinity of the jobsite. Never discharge wastewater into a street, ditch, storm drain, or maintenance hole. Obtain all necessary permits and authorizations. If you are going to discharge into the sanitary sewer system at the job site, or on unpaved areas at the job site, always obtain the property owner's permission.

**BMP-2 Surface Pre-Cleaning:** Before washing use dry methods for surface pre-cleaning whenever possible. In many cases the amount of wash water that will need to be collected and disposed of can be reduced, if this process is followed:

1. Use absorbents (such as rags, absorbent mats or pads, rice hull ash, cat litter, vermiculite, or sand) to pick up greasy or oily materials and spills.
2. Sweep or vacuum to pick up litter, trash, debris, dirt, and used absorbents.
3. Waste materials from dry cleanup such as absorbents, paint chips, etc. may often be disposed of in the trash. Check with the local solid waste authority to be sure. Rags may be sent to an industrial laundry. Know which pre-cleaning wastes may be hazardous waste

**BMP-3 Washing and Cleaning:** Minimize the amount of water used during washing and cleaning to reduce the amount of wash water that will need to be disposed. Avoid cleaning products that contain hazardous substances (e.g. hydrofluoric acid, muriatic acid, sodium hydroxide, bleach, etc.) that can create hazardous waste. Avoid acidic, caustic, and other products that may damage paved or coated surfaces. When possible, avoid using soap – even biodegradable soap is harmful to the environment. Before using soap, test to see whether hot water under pressure will do the job. Avoid using solvent-based cleaners (especially chlorinated solvent cleaners).

Beware of pressure washing surfaces that contain lead-based paint, or areas with freestanding liquids (e.g. oil, solvents, antifreeze, etc.). Pressure washing these types of surfaces may generate hazardous waste (e.g., lead-based paint chips, oil/grease, hydrofluoric acid, muriatic acid, etc.). Generating hazardous waste may dramatically increase your operating costs and limit your disposal options. For more information on hazardous waste determination call the Monterey County Division of Environmental Health at (831) 647-7654 or 755-4511.

**BMP-4 Wash Water Containment and Collection:** Contain and collect the wash water and dispose of it as described below. Decide what is the best method of collection (e.g. berms, storm drain cover mats, containment pools, vacuums/pumps, vacuum boom, inflatable pipe plug, etc). Locate property high and low spots to determine where wash water can be pooled for collection.

A simple and acceptable method for collecting wash water on private property requires only a drain plug, small sump pump, and a length of hose. If a small parking-lot-type catch basin is available, remove the grate, plug the drain pipe (usually 2, 3, or 4 inches in diameter), and place the pump in the catch basin, attached to a garden hose which will discharge to disposal (see section below regarding disposal). Vacuum booms are another option for capturing and collecting wash water. Sand bags can be used to create a barrier around storm drains, and plugs or rubber mats can be used to seal storm drain openings. Other common equipment used for containing and collecting wash water generated during pressure washing activities include: vacuum pumps, booms/berms, portable containment areas, weighted storm drain covers, oil/water separators, holding tanks, portable sump pumps, absorbents, and more. These are described in more detail below.

Avoid mixing non-hazardous wash water with wash water known to contain hazardous levels of pollutants. This will increase the volume of waste that requires treatment and/or disposal as a hazardous waste, thus increasing disposal costs. Do not leave areas of wash water on paved surfaces for evaporation. Sweep up any visible solids and sediments remaining after all the wash water has been collected.

Surface cleaning wastewater that contains visible debris or residue, soap, detergent or other cleaning agents, hazardous waste, or excessive amounts of any pollutant, may not be left on paved surfaces to evaporate because the residues will eventually be discharged to the storm drain system.

For additional information about containing wash water, see the Section titled "Devices That May be Used to Contain and Collect Wash Water."

**BMP-5 Wash Water Disposal:** Do not discharge wash water to storm drain. Once wash water has been collected, either (1) discharge it to the sanitary sewer, or septic system via the sanitary sewer clean-out or sanitary sewer inlet at the point of generation (job site), (2) discharge it to landscaping or other suitable unpaved areas, or (3) collect it in a container for later disposal at an appropriate off-site location. Such locations could include a liquid waste receiving facility at a municipal wastewater treatment plant, such as MRWPCA's

Regional Treatment Plant located north of the City of Marina, or the sanitary sewer at the pressure washer's place of business using the sewer clean out. Use of disposal options (1) and (2) require the property owner's permission.

#### Attachment 1

Discharges to the sanitary sewer must comply with the discharge requirements of the appropriate wastewater authority. The requirements of the two principal wastewater authorities within the area covered by the Monterey Regional Storm Water Management Program (MRSWMP) are described in the Section titled "Requirements for Discharge to the Sanitary Sewer."

When cleaning surfaces such as buildings and decks without loose paint, sidewalks, or plazas without soap, thorough dry cleanup should normally be sufficient to allow the wash water to be discharged to the sanitary sewer without pretreatment. However, if any debris is present in the wash water it should first pass through a "20 mesh" or finer screen to remove the material before discharging it to the sanitary sewer. The material that is removed should be disposed of in the trash.

Discharges of surface cleaning wastewater to a septic system must be approved by the Monterey County Division of Environmental Health. Discharges that contain hazardous waste, have the potential to harm septic systems, or are likely to contaminate groundwater, will not be approved.

With the property owner's permission wash water can sometimes be disposed of to landscaping or other unpaved areas. If this means of disposal is being considered, first check the slope of the intended disposal area to be sure there will be no runoff into a street, gutter, or waterway. Also, ensure that the wash water will not create a nuisance condition or contain food products or contaminants (i.e. solvents, cleaners, oils, metals, etc.) that may constitute a hazardous waste. If disposal to landscaped areas is being considered, avoid damage to plants and soil by minimizing or eliminating the use of soaps, detergents, and chemicals. In addition, minimize the use of water to avoid wash water overflowing from these areas. Repeated discharges to landscaped areas may result in an accumulation of contaminants, thus damaging vegetation and increasing contaminant levels in the soil. If the soil is very dry, wet it down thoroughly before discharging, so that wash water will soak into the soil instead of running off to the street, gutter, or storm drain. Wash water disposal to land must not create a nuisance condition. Wash water containing garbage, food wastes, or visible trash may not be discharged to land.

Be sure to read cleaning product labels before disposing of wash water. Follow use and disposal instructions carefully. If there is any question as to whether a wash water, or waste material, is considered to be a hazardous material, check with the Monterey County Division of Environmental Health to make this determination and properly dispose of these materials. Depending on the condition of the surface being cleaned, the wastewater generated could be classified as hazardous waste. Some examples include:

3. Wastewater generated from parking lots, storage areas, and gas stations may contain oil, gas, solvents, antifreeze, metals, and/or pesticides.
4. Washing building exteriors with paint made prior to 1978 may contain lead.

Generating hazardous waste may dramatically increase operating costs and limit disposal options. Contact the Monterey County Division of Environmental Health for more information on hazardous waste determination and disposal.

#### DEVICES THAT MAY BE USED TO CONTAIN AND COLLECT WASH WATER

The following are examples of devices that may be used to contain and collect wash water. The collection devices described are not endorsed and are only provided as a reference tool. In addition, there may be other containment devices available, which are not listed. Note: When working with electrical equipment in wet environments, it is important to understand and comply with applicable health/safety and electrical codes, and well as utilize appropriate safety equipment (e.g. Ground Fault Interrupters, etc.)

For information about where equipment and materials of these types can be obtained, see the Section titled "Sources of Equipment and Supplies."

#### Berms

Berms may be used to prevent wastewater from entering a storm drain by placing a protective barrier around the storm drain inlet, thus allowing wastewater to pool around the inlet prior to proper collection and disposal. This type of containment may be less effective or ineffective when the storm drain is located at the bottom of a slope and/or a large amount of wastewater is generated.



#### Storm Drain Covers/Mats

These devices are placed on top of the storm drain cover grate, creating a quick seal, thus preventing wastewater from entering the storm drain system. Storm drain covers/mats (magnetic vinyl mats, PVC drain covers, polyurethane mats, and others) allow wastewater to accumulate on top of it until the pressure washing activity is complete and the wash water can be collected for proper disposal. Storm drain covers/mats are frequently used along with a vacuum device that diverts wastewater into the sanitary sewer.



#### Containment Pools

A portable or temporary containment pool is another option which may be used to collect wash water. Containment pools are easy to assemble, provide an immediate work area, and allow wash water to be collected in a manner that will prevent pollutants from entering the storm drain system. Containment pools vary in size and material and can also be used for washing equipment and vehicles.



#### Vacuums/Pumps

Devices such as wet/dry vacuums, sump pumps, and vacuum pumps may be used to collect and dispose of wash water after pressure washing. Vacuum devices typically have an extension (vacuum boom) which allows the water to be collected efficiently. In addition, many vacuum devices are equipped with a hose that can run from the pump to the sanitary sewer, a treatment device, or a holding tank depending on the disposal method.



### Vacuum Boom

Vacuum booms are an attachment for the vacuum device. The boom typically rests flush on the ground and draws wastewater through small holes on the bottom of the boom. In addition, different varieties of vacuum booms are available for areas with steep slopes or rough terrain.



### Inflatable Pipe Plug

Inflatable pipe plugs prevent wash water from entering a storm drain system by blocking the pipe leading from the drain inlet. Unlike the storm drain mats/covers that block the storm drain grates, the inflatable pipe plug is inserted into the storm drain pipe and uses the inlet structure beneath the grate to collect the wash water. Once inserted, the plug is inflated to make a snug fit. Once the wash water has been contained, it can be collected and disposed by using a portable pump device. Note: inflatable pipe plugs should only be used in storm drains on private property. They are not authorized to be used in public storm drain inlets or pipes.



## CONSTRUCTION SITE BMPs

This guidance specifies Best Management Practices (BMPs) for construction sites that shall be employed to protect water quality during construction. At a minimum, every construction site shall employ applicable BMPs outlined below. The additional best management practices, measures and controls described below shall be employed as applicable and to the maximum extent practicable to prevent pollutants from entering stormwater runoff. For additional details on items shown with an asterisk (\*), see Section 4 “Sources of Additional Information” in this Guidance Series.

### Section 1.0 Construction Site Planning BMPs

Project proponent must develop and implement a plan to manage storm water and non-storm water discharges from the site at all times. Grading during the wet season must be minimized and should coincide with seasonal dry weather periods to the maximum extent practicable. If grading does occur during the wet season, project proponent is required to implement additional BMPs for any rain events which may occur.

#### 1.1 Site Plan

1.1.1 Plan the development to fit the topography, soils, drainage pattern and natural vegetation of the site.

1.1.2 Remove existing vegetation only when absolutely necessary.

1.1.3 Delineate clearing limits, easements, setbacks, sensitive or critical areas, trees, drainage courses, and buffer zones to prevent excessive or unnecessary disturbances and exposure.

1.1.4 Avoid construction on steep slopes\*

1.1.5 Minimize cuts and fills\*

1.1.6 Align temporary and permanent roads and driveways along slope contours\*

1.2 Other Measures

1.2.1 Phase grading operations to reduce disturbed areas and time of exposure

1.2.2 Avoid excavation and grading during wet weather

1.2.3 Winterize construction site\*

## Section 2.0 Erosion and Sediment Control BMPs

Project proponent must stabilize all slopes and emphasize erosion prevention as the most important measure for keeping sediment on site during construction, and must utilize sediment controls as a supplement to erosion prevention for keeping sediment on-site during construction, and never as the single or primary method.

2.1 Soil Cover

2.1.1 Install cover materials such as vegetative debris, mulch, crushed stone, geotextile fabric, erosion control blankets\*

2.1.2 Use soil stabilizers as appropriate\*

2.1.3 Use temporary seeding and planting to reduce erosion potential\*

2.1.4 Temporarily stabilize and reseed disturbed soil areas as rapidly as possible

2.1.5 Permanently re-vegetate or landscape as early as maximally practicable

2.2 Tracking Control (for sites where on-site room allows for these measures)

2.2.1 Construct stabilized access roads and entrances\*

2.2.2 Construct entrance/exit tire wash\*

2.2.3 When cleaning sediments from streets, driveways and paved areas on construction sites, use dry sweeping methods where possible. If water must be used to flush pavement, collect runoff in temporary storage tanks to settle out sediments prior to discharge to the storm drains, and protect storm drain inlets.

2.3 Structures to Control and Convey Runoff

2.3.1 Earth dikes, drainage swales and ditches\*

2.3.2 Slope drains and subsurface drains\*

2.2.3 Velocity dissipation devices\*

2.3.4 Flared culvert end sections\*

2.3.5 Check dams\*

2.4 Other Measures

2.4.1 Slope roughening/terracing/rounding\*

2.4.2 Level spreader\*

2.5 BMPs to Capture Sediment



2.5.1 Use terracing, riprap, sand bags, rocks, straw bales, and/or temporary vegetation on slopes to reduce runoff velocity and trap sediments. Do not use asphalt rubble or other demolition debris for this purpose.

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2.5.2 Protect storm drain inlets from sediment-laden runoff. Storm drain inlet protection devices include sand bag barriers, filter fabric fences, block and gravel filters, and excavated drop inlet sediment traps.\*

2.5.3 When dewatering the site, remove sediment from the discharge using filtration methods. Mobile units specifically designed for construction site dewatering can be rented for this purpose.

## 2.6 Other Controls (as required)

2.6.1 Silt fence\*

2.6.2 Straw bale barrier (other than at storm drain inlets)\*

2.6.3 Sand bag barrier\*

2.6.4 Brush or rock filter\*

2.6.5 Sediment trap\*

2.6.6 Temporary sediment basin\*

\*For additional details, see Section 4.0 "Sources of Additional Information" below.

## Section 3.0 General Site and Materials Management

### 3.1 All Construction Sites

3.1.1 Identify all storm drains, drainage swales, channels, sloped areas, and creeks located on or near the construction site and make sure all subcontractors are aware of their locations and use appropriate methods to prevent pollutants from entering them.

3.1.2 Clean up leaks, drips, and other spills immediately.

3.1.3 Refuel vehicles and heavy equipment in one designated location.

3.1.4 Wash vehicles at an appropriate off-site facility. If equipment must be washed on-site, do not use soaps, solvents, degreasers, or steam cleaning equipment, and prevent wash water from entering the storm drain.

3.1.5 Never wash down pavement or surfaces where materials have spilled. Use dry cleanup methods whenever possible.

3.1.6 Avoid contaminating clean runoff from areas adjacent to your site by using berms and/or temporary or permanent drainage ditches to divert water flow around the site.

3.1.7 Keep materials out of the rain. Schedule clearing or heavy earth moving activities for periods of dry weather. Cover exposed piles of soil, construction materials and wastes with plastic sheeting or temporary roofs. Before it rains, sweep and remove materials from surfaces that drain to storm drains, creeks, or channels.

3.1.8 Place trash cans around the site to reduce litter. Dispose of non-hazardous construction wastes in covered dumpsters or recycling receptacles. Recycle leftover materials whenever possible.

3.1.9 Dispose of all wastes properly. Materials that can not be reused or recycled must be taken to an appropriate landfill or disposed of as hazardous waste.

3.1.10 Cover open dumpsters with plastic sheeting or a tarp during rainy weather. Secure the sheeting or tarp around the outside of the dumpster. If your dumpster has a cover, close it.

3.1.11 Train your employees and inform subcontractors about the stormwater requirements and their own responsibilities.

### 3.2 Construction Projects Involving Paint Work

3.2.1 Non-hazardous paint chips and dust from dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash. Chemical paint stripping residue and chips and dust from marine paints or paints containing lead or tributyl tin must be disposed of as a hazardous waste.

Attachment 1

3.2.2 When stripping or cleaning building exteriors with high-pressure water, cover or berm storm drain inlets. If possible (and allowed by your local wastewater authority), collect (mop or vacuum) building cleaning water and discharge to the sanitary sewer.

3.2.3 Never clean brushes or rinse paint containers into a street, gutter, storm drain, or creek.

3.2.4 For water-based paints, paint out brushes to the extent possible and rinse to a drain leading to the sanitary sewer (i.e., indoor plumbing).

3.2.5 For oil-based paints, paint out brushes to the extent possible, and filter and reuse thinners and solvents. Dispose of unusable thinners and residue as hazardous waste.

3.2.6 Recycle, return to supplier or donate unwanted water-based (latex) paint.

3.2.7 Dried latex paint may be disposed of in the garbage.

3.2.8 Unwanted oil-based paint (that is not recycled), thinners, and sludges must be disposed of as hazardous waste.

### 3.3 Construction Projects Involving Cement and Concrete Work

3.3.1 Avoid mixing excess amounts of fresh concrete or cement mortar on-site.

3.3.2 Store dry and wet materials under cover, protected from rainfall and runoff.

3.3.3 Wash out concrete transit mixers only in designated wash-out areas where the water will flow into settling ponds or onto dirt or stockpiles of aggregate base or sand. Pump water from settling ponds to the sanitary sewer, where allowed. Whenever possible, recycle washout by pumping back into mixers for reuse. Never dispose of washout into the street, storm drains, drainage ditches, or creeks.

3.3.4 Whenever possible, return contents of mixer barrel to the yard for recycling. Dispose of small amounts of excess concrete, grout, and mortar in the trash.

### 3.4 Construction Projects Involving Roadwork/Pavement Construction

3.4.1 Apply concrete, asphalt, and seal coat during dry weather to prevent contaminants from contacting stormwater runoff.

3.4.2 Cover storm drain inlets and manholes when paving or applying seal coat, slurry seal, fog seal, etc.

3.4.3 Always park paving machines over drip pans or absorbent materials, since they tend to drip continuously.

3.4.4 When making saw-cuts in pavement, use as little water as possible. Cover each storm drain inlet completely with filter fabric during the sawing operation and contain the slurry by placing straw bales, sandbags, or gravel dams around the catch basins. Use a wet-dry vacuum to pick up slurry prior to drying or after the liquid drains or evaporates, shovel or vacuum the slurry residue from the pavement or gutter and remove from site.

3.4.5 Wash down exposed aggregate concrete only when the wash water can: (1) flow onto a dirt area; (2) drain onto a bermed surface from which it can be pumped and disposed of properly; or (3) be vacuumed from the area along the curb where sediment has accumulated by blocking a storm drain inlet.

3.4.6 Allow aggregate rinse to settle, and pump the water to the sanitary sewer if allowed by your local wastewater authority.

3.4.7 Never wash sweepings from exposed aggregate concrete into a street or storm drain. Collect and return to aggregate base stockpile, or dispose with trash.

3.4.8 Recycle broken concrete and asphalt.

## Section 4.0 Sources of Additional Information

Additional information on Construction Site Controls is available in the publications listed below.

4.1 California Stormwater Quality Association (2003) Storm Water Best Management Practice Handbook – Construction.

4.2 Association of Bay Area Governments. 1995. Manual of Standards for Erosion and Sediment Control Measures. A comprehensive filed guide for controlling soil erosion in California.

Attachment 1

4.3 BASMAA. 1996. Start at the Source – Residential Site Planning and Design Guidance Manual.

4.4 Caltrans. (2003) Storm Water Quality Handbooks – Construction Contractors Guide and Specifications. May.

4.5 California RWQCB, San Francisco Region, Erosion and Sediment Control Field Manual (most recent edition).

4.6 Caltrans (2003), Storm Water Quality Handbooks – Project Planning and Design Guide.

## POST-CONSTRUCTION BMPs FOR NEW DEVELOPMENT AND REDEVELOPMENT

The focus of this guidance is post-construction BMPs for new development or redevelopment projects. Post-construction BMPs are grouped into three types:

1. Site Planning Measures that avoid or reduce disturbance of the site and limit the addition of impervious surfaces;
2. Pollution Prevention and Source Control Measures that reduce or eliminate potential future sources of pollutants; and
3. Treatment Control Measures that treat polluted runoff from new development/redevelopment sites.

This guidance is focused strictly on specific controls that can be incorporated into individual development projects to avoid or reduce the pollutants from the particular project. Where appropriate, pros and cons are described along with typical conditions under which these controls have been found to be effective.

The best opportunities for post-construction controls are available in larger projects or when implemented on a regional basis, and most of this guidance emphasizes controls that can be introduced in larger new development/redevelopment projects through the discretionary approval process. The second section of this guidance presents a list of controls that can be employed for small infill-type projects which are subject only to the ministerial approval process where the opportunities are limited.

Projects requiring discretionary approval from the local jurisdiction include almost all projects except minor infill development. This discretionary approval process is commonly the design review process, although other discretionary approvals such as a use permit or a subdivision map approval may also be triggered depending on the characteristics of the project.

Projects requiring ministerial approval are small improvement projects that conform to the site zoning requirements and include either a new single-family unit or minor modifications to an existing single family unit or a single structure. Such projects typically do not need discretionary approval, but will in all cases need a ministerial permit, such as a building or a grading permit.

### Post-Construction BMPs for Projects Requiring Discretionary Approvals

#### Site Planning BMPs

This group of post-construction controls includes site planning to protect sensitive resources at or near the site and the use of alternate paving and cover materials to reduce the amount of impervious surfaces added by a new development. Studies have shown that in single-family residential areas, streets are the primary producers of runoff, and sidewalks and lawns, if properly vegetated, are a minor source. In multi-family developments, streets, parking lots and roofs generate similar quantities of runoff. In commercial/industrial areas, parking lots and roofs are the main generators of runoff. It follows then that to reduce impervious surfaces, in single-family residential areas reduction of street width and driveway lengths should be the primary strategy, while in multi-family developments and industrial/commercial areas, strategies should focus on reducing parking lots and the footprint of buildings. For more information on site planning, refer to “Start at the Source Residential Site Planning and Design Guidance Manual for Stormwater Quality Protection”, available from BASMAA.

Site planning BMPs that minimize impervious surface and maximize infiltration are described below:

1. Cluster development – Concentrate the development on a limited portion of the site and leave the remaining portion undisturbed. This should be used where appropriate without creating other hazards such as those of access during emergencies.

2. Preserve natural drainages – This measure includes not filling in the natural drainage features at the site, maintaining invert/streambeds to maximize capacity, and providing vegetated setbacks or buffer strips outside of the maximum water surface level. Main concerns are related to safety especially of children and future need for mosquito/pest control. Attachment 1

3. Reduce sidewalk widths, especially in low-traffic areas – This control provides limited runoff reduction benefits, and reduction of width may not be possible due to Americans with Disabilities Act (ADA) requirements.

1. Avoid curb and gutter along driveways and streets where appropriate – This is recommended in areas where flooding and ponding of water creating mosquito habitat is not a problem. Replace with swales.

2. Use alternate paving materials/porous/permeable materials, where appropriate – This measure includes use of alternate paving materials (e.g., porous asphalt, pervious concrete, pavers), landscaping, mulch, gravel and cobbles where appropriate to provide ground cover, and reduce the use of asphalt or other impervious pavement. Pavers are recommended for driveways, walkways, and patios in single-family residences where the site does not generate highly polluted runoff (that could contaminate groundwater if it were to infiltrate) and where ADA requirements do not have to be met. In non-residential areas, pavers are recommended for emergency access roads, overflow parking areas, and non-handicapped parking stalls. (Note: Some types of alternate paving materials may not be suitable where heavy loads (e.g. truck movement) are anticipated.) For more information on alternate paving materials, see Post-Construction Controls for New Development Fact Sheets available from BASMAA.

3. Reduce the length of driveways or infiltrate driveway runoff – This control applies mainly to single-family residential units. If reduction of the driveway length is not possible, grade and construct driveway so that runoff from driveway is directed to the adjacent landscaped areas.

4. Reduce street width by eliminating on-street parking (where such actions do not pose a safety hazard) – This measure can be generally used in new residential areas. In addition to reducing the impervious area, this control has the added benefit of removing cars from streets and making street sweeping easier and more effective. If on-street parking in residential areas is eliminated, the developer must provide adequate off-street visitor parking.

5. Reduce alley width or use alternate materials for paving alleys – If alleys are included in a proposed development, width should be minimized or alternate paving materials should be used.

6. Set aside open space – This control is recommended for all developments (residential and non-residential). The main concern with open space relates to maintenance, weed control, and fire prevention. This group includes controls that can be incorporated into new development/redevelopment projects to avoid pollution in the long run by eliminating sources.

#### Pollution Prevention and Source Control BMPs

This group of BMPs includes controls that can be incorporated into new development/redevelopment projects to avoid pollution by eliminating sources.

1. Provide green areas where pets can be exercised – Pet excrement is a major source of bacteria in urban runoff. Provide green areas in new residential developments where people can walk their pets and keep pet excrement away from sidewalks and streets.

2. Install landscaping or other cover – Clearing and grading of surfaces in new development can increase potential for erosion. Install landscaping or other cover materials to minimize erosion from graded surfaces. Use of native plant materials is recommended because native plants require less maintenance and irrigation, and are typically more resistant to fires than non-native grasses. Native plants do take longer to cover slopes, therefore during the first few years, supplemental protection (erosion blanket, mulch, etc.) will be necessary.

3. Incorporate low-maintenance landscaping – At sites where erosion may not be a concern but landscaping is proposed as part of the development, use low-maintenance landscaping that does not require frequent fertilizer, pesticide and herbicide application. Assistance in identifying the types of trees, shrubs, and ground cover that would work in the community, based on local climatic and soil conditions, can be obtained from garden centers, landscapers, and other sources.

4. Label storm drains to discourage dumping – Label all storm drain inlets and catch basins within the project area with prohibitive language (such as: “NO DUMPING – DRAINS TO OCEAN”) and/or graphical icons to discourage illegal dumping. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area. Legibility of stencils and signs must be maintained.

5. Where possible, eliminate gutters/roof drains or direct runoff to landscaped areas – Roof drains can be eliminated only in one to two-story buildings. Where these cannot be eliminated, direct the downspout of the gutter to a landscaped area or into an infiltration trench. Install several gutters to distribute the flow.

Attachment 1

6. Construct designated vehicle wash area – In new residential developments involving more than 50 units, construct a designated vehicle wash area so that the runoff from vehicle washing can be properly treated and/or disposed. Contact the local wastewater authority to determine if the discharge can be plumbed to the sanitary sewer. If not, provide appropriate treatment and disposal of this runoff.
7. Where possible use underground parking and the construction of multi-storied parking structures – For commercial projects build underground or multi-story parking structures so that not only is impervious surface minimized but the parking surfaces are under a roof and not exposed to storm water.
8. Where possible use cooperative or shared parking – For commercial areas this may be a cooperative effort between commercial entities or between commercial entities and the City.
9. Use alternate paving materials for parking lots – This control is recommended for overflow parking areas and for less frequently used parking spaces (typically these are spaces along the periphery of the parking lot that will not have to meet ADA requirements and due to low usage there will be less concern regarding pollution of groundwater through infiltration of stall runoff).
10. Use measures to reduce building footprint and increase use of taller structures (where appropriate) – This control is recommended for commercial and municipal structures, where it would also be consistent with other City planning and building requirements.
11. Berm waste storage areas – Grade and pave outdoor waste receptacle areas to prevent run-on of storm water, and install a low containment berm around it. Alternately, construct a covered enclosure with wash-down capabilities plumbed into the sanitary sewer, after first contacting the local wastewater authority to verify that this practice will be acceptable.
12. Install valves on storm drain inlets in loading dock areas – At commercial/industrial facilities where loading docks are proposed, install a valve(s) to control runoff in the event of spills.

#### Treatment BMPs

This group of BMPs includes controls that can be built at new development and redevelopment sites to capture and treat the polluted runoff before it enters the City's storm drain system or other receiving waters. Those BMPs which are feasible for the proposed development should be incorporated into its design.

Treatment control design standards, depending on the type of units, are based on either treating a given volume of runoff (e.g., first 0.5 inch of runoff) or a peak flow rate associated with a design storm. The volume approach is often utilized for small catchments where there tends to be a "first flush" condition (e.g., a parking lot). Design storms for storm water controls may be small (e.g. recurrence intervals of 3 months to 2 years) compared to flood control designs standards because of the need to minimize the size and cost of the unit, and because most runoff is associated with the more frequent smaller events. Treatment controls must be designed such that volumes and flows in excess of the design standard bypass the unit, otherwise there is the possibility of aggravating flooding and also causing re-suspension of previously captured sediments or other constituents. Also, all of the treatment BMPs described below require some inspection, maintenance, and disposal of solids to ensure optimum performance and often to avoid flooding.

1. Rooftop Catchment Systems – These are rooftops which can sometimes be designed into large commercial and industrial sites to pool stormwater which, following the storm, evaporates. This effectively eliminates rooftop runoff from the storm drain system, and thereby reduces the hydraulically-connected impervious area. Another function of these systems is to slow down the runoff to reduce peaks. Problems with rooftop catchment systems are mainly related to leakage.
2. Vegetated Filter Strips – Vegetated filter strips, buffer strips, or riparian buffer zones are strips of vegetation placed between receiving waters (e.g., along streams) and pollutant sources. The effectiveness of the strips depend primarily on the width of the strip, and the vegetation type and condition. Strips of 100-300 feet in width are often considered. Such strips have been successfully applied to urban, agricultural, and forestry situations. Vegetation type selection must take into account the climate and usually should be drought-resistant. Maintenance is primarily annual cutting. Such strips are recommended for developments located along receiving waters such as streams, rivers and lakes, but outside the flood control boundary.

3. Vegetated Swales – Swales are shallow low gradient channels that are vegetated. They are commonly applied in rural residential areas in lieu of traditional curb/gutters and underground stormwater drainage pipes. Water quality improvement is achieved primarily through filtration, and performance is dependent on the swale hydraulic capacity and vegetation type and condition. Influent water should be relatively free of coarse sediment to avoid burying the vegetation. Where sediment loads are of concern, sediment settling basins can be provided upstream of the swales. Maintenance consists primarily of vegetation management and settling basin cleanouts. Swales are generally recommended for low-density residential developments located in relatively flat terrain.

4. Infiltration Basins – Infiltration basins store and infiltrate stormwater into the surficial groundwater aquifer. Performance is critically dependent on soil porosity and adequate depth to groundwater. Such conditions are typical of inland valleys, in contrast to low lying coastal areas. In order to maintain recharge rates, influent water may require pretreatment to remove sediments. Infiltration basins are effective at reducing runoff rates and volumes and can provide water supply benefits through aquifer recharge. Maintenance primarily consists of periodic removal of accumulated trash, debris and sediments to maintain recharge rates. Infiltration basins are generally recommended in areas where the depth to groundwater is relatively high and the soils are highly pervious. Where such conditions exist, this technology is generally applicable to the entire range of urban development, although the potential for groundwater contamination is often of concern in industrial areas.

5. Infiltration Trenches – Infiltration trenches are shallow drains filled with high porosity materials (e.g. gravel). Stormwater discharged to these trenches is stored during the runoff event and infiltrates into the groundwater during dry weather periods. As with infiltration basins, performance requires porous sub-soils and adequate depth to the groundwater table. The acceptability and designs of infiltration trenches must take into consideration the potential for infiltrating water to adversely affect soil strength around foundations. Infiltration trenches are generally not recommended for roof runoff near buildings because of building code requirements; but can be effective as part of the overall open channel drainage system.

6. Dry Detention Ponds/Basins – These are basins designed to temporarily store and treat storm water prior to gradually releasing it downstream. Such basins can provide flood control and storm water treatment benefits. Treatment performance depends on storage volume (12-24 hours of residence time is considered a good rule of thumb), and good circulation (avoidance of short circuiting). A major factor limiting good performance is that, during larger storm runoff events, water entering a dry basin may re-suspend previously settled material in which case the ponds may act as a source of sediment and associated chemicals. In general dry basins are not as effective as wet basins (discussed below), however, in certain arid areas, wet basins are not feasible. Performance of dry basins can be improved by incorporating slow release outlet structures. Such basins are generally applicable to residential, commercial, and industrial development in areas where there is insufficient runoff to maintain wet basins.

7. Retention Ponds/Wet Basins – These are basins that contain a permanent pool of water. Such ponds can provide flood control, ecological, and water quality benefits. The performance of wet basins depends on the size of the basin, watershed characteristics, and influent conditions. The primary treatment process in retention ponds is settling. Maintenance is required for removing debris, vegetation management, and maintaining the inlet and outlet structures. Accumulation rates in such basins typically require that accumulated sediment be removed about once every 10-20 years. Retention ponds are generally applicable to most urban situations, as long as there is adequate space for the facility and acceptable geological conditions.

8. Constructed/Restored Wetlands – In addition to providing flood control and water supply benefits through artificial recharge of groundwater, constructed wetlands designed for stormwater management provide water quality benefits through a number of processes including sedimentation, filtration, absorption, biological processes, and nutrient uptake. Pollutant removal performance depends on the size of the wetland relative to the watershed, the design of the wetland, and the type and composition of wetland vegetation. Wetlands also provide additional ecological and recreational benefits. If a significant amount of sedimentation is anticipated, a deep settling basin could be constructed (which the water would enter prior to reaching the wetland). The basin would require periodic maintenance to remove accumulated sediment. Constructed wetlands require maintenance, especially in the first 5-10 years during which vegetation is growing and natural seeding is occurring. Providing suitable hydrologic conditions for vegetation growth and water treatment is key to successful performance of constructed wetlands. Constructed wetlands are generally applicable to most urban situations, as long as there is adequate space for the facility, an adequate source of water, and appropriate soils. In California, such wetlands would likely be seasonal in nature. The cost of urban lands often preclude this type of treatment in the more densely developed portions of urban areas.

A variation of this control is the use of existing wetlands for urban runoff treatment. Existing wetlands at or downstream of a new development/redevelopment project can be enhanced to improve hydrology, and runoff from the development project can be directed to the wetlands. Note that the dry detention ponds/basins, retention ponds/wet basins, and the constructed wetlands need to be periodically

monitored for accumulation of toxic materials, and provisions made for cleanout and disposal pretreatment may be added (to remove heavy sediment trash and debris) to reduce maintenance. If a significant amount of sediment is anticipated, a deep settling basin could be constructed. This would also need to be periodically cleaned out to maintain capacity.

Attachment 1

9. Filtration Systems – Filtration systems convey stormwater through filter media (e.g., sand, compost, charcoal) to treat the storm water. The chemicals treated vary depending on the type of media and may include fine sediment, colloidal material, hydrocarbons, organics, nutrients and dissolved metals. Such systems come in many sizes and designs including: (1) inserts placed in individual storm drain inlets, (2) linear units that treat stormwater from small impervious areas such as parking lots, and (3) large 1-2 acre sand filters that treat runoff from urban catchments. Filters are effective as long as the capacity of the filter is not exceeded, and the filter is not allowed to clog. Filter inserts are particularly problematic in this regard, and recent testing and evaluation questions their applicability where material in runoff will clog or block the filter. In stormwater applications filter systems are required to remove blocking materials (leaves, trash, debris, sediments, oil and grease) and storage to better manage flow rates. Experience to date with filter type inserts for drain inlets suggest that the units are easily clogged with sediment and debris, with resultant bypassing of most of the flows. Therefore, inserts are not recommended unless frequent inspection and cleaning is performed. Filtration systems will have limited application in small well-maintained parking lots.

10. Oil/Grit Separators – Oil/grit (gravity) separators are usually multi-chambered treatment units that are placed underground and treat stormwater from a drainage catchment. The individual chambers often are designed to trap grit and floatables, and adsorb hydrocarbons. Flows in excess of the design capacity should be diverted around the unit, otherwise there is the possibility that sediment previously trapped in the chambers will be re-suspended and flushed downstream. Inspection and maintenance is required to ensure that the units are not filling up with sediment, as accumulation can affect performance. Traditional gravity oil/water separators that utilize skimming devices and coalescing plates (to increase droplet size and capture) are generally not applicable to stormwater conditions where total hydrocarbon concentrations are generally less than 10 mg/l. The performance of oil/grit separators varies depending on the chosen design. Research should be done before selecting any separators to verify that they will perform as desired. In general, oil/grit separators are useful only at sites where there are chances that oil spills could occur and to a limited degree at development sites that have high oil and grease loadings such as petroleum storage yards and vehicle storage facilities.

#### Post-Construction BMPs for Projects Requiring Ministerial Approvals

1. Incorporate low-maintenance landscaping – Use low-maintenance drought-tolerant landscaping that does not require frequent fertilizer, pesticide and herbicide application.

2. Label storm drains to discourage dumping – Label all storm drain inlets and catch basins within the project area with prohibitive language (such as: “NO DUMPING – DRAINS TO OCEAN”) and/or graphical icons to discourage illegal dumping. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area. Legibility of stencils and signs must be maintained.

3. Where possible, direct gutters to landscaped areas – Roof drains may be eliminated only in one to two-story buildings. Where these cannot be eliminated, direct the downspout of the gutter to landscaped area or into an infiltration trench. Install several gutters to distribute the flow. Note that roof drains may be eliminated in residential and some commercial areas only, and should not be eliminated in industrial areas.

4. Use alternate paving materials/porous/permeable materials, where appropriate – Use alternate paving materials (pavers), landscaping, mulch, gravel and cobbles where appropriate to provide ground cover, and reduce the use of asphalt or other impervious pavement. Pavers are recommended for driveways, walkways, and patios in single-family residences where the site does not generate highly polluted runoff (that could contaminate groundwater if it were to infiltrate) and where ADA requirements do not have to be met. In non-residential areas, pavers are recommended for emergency access roads, overflow parking areas, and non-handicapped parking stalls. These are not recommended where heavy loads (e.g. truck movement) are anticipated. For more information on alternate paving materials, see Post-Construction Controls for New Development Fact Sheets available from BASMAA.

#### Providing Proof of Ongoing Post-Construction BMP Maintenance

As part of project review, if a project applicant is required to include Structural or Treatment Control BMPs in project plans, the City will require that the applicant provide verification of maintenance provisions through such means as may be appropriate, including, but not limited to legal agreements, covenants, CEQA mitigation requirements and/or Conditional Use Permits.

For all properties, the verification will include the developer's signed statement, as part of the project application, accepting responsibility for all structural and treatment control BMP maintenance until the time the property is transferred and, where applicable, a signed agreement from the public or private entity assuming responsibility for Structural or Treatment Control BMP maintenance. Attachment A agreement is included in Attachment A at the end of this section.

The transfer of property to a private or public owner shall have conditions requiring the recipient to assume responsibility for maintenance of any Structural or Treatment Control BMP included in the sales or lease agreement for that property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection of all Structural or Treatment Control BMPs at least once a year and retain proof of inspection. For residential properties where the Structural or Treatment Control BMPs are located within a common area which will be maintained by a homeowner's association, language regarding the responsibility for maintenance shall be included in the projects conditions, covenants and restrictions (CC&Rs).

Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information shall also be required with any subsequent sale of the property.

#### Sources of Additional Information

For additional information on post-construction controls for new development and redevelopment projects, see the following:

Bay Area Stormwater Management Agencies Association. 1996. Start at the Source. Residential Site Planning and Design Guidance Manual for Stormwater Quality Protection.

City of Olympia. 1994. Impervious Surface Reduction Study. Conducted by the Public Works Department. Water Resources Program. November. (for information on reducing impervious surfaces such as street widths, sidewalks, and parking facilities).

Wilson, A. 1994. "Stormwater Management, Environmentally Sound Approaches", published in the Environmental Building News, Vol. 3, No. 5, September/October. (for a general discussion of new development controls).

City of San Rafael. 1991. Hillside Residential Design Guidelines Manual. Prepared by Gast Hilmer Associates. (for more information on designing and building residential developments in hilly areas).

Bay Area Stormwater Management Agencies Association (BASMAA). 1997. Compilation of New Development Stormwater Treatment Controls in the San Francisco Bay Area. June. (For treatment controls)

California State Stormwater Quality Task Force. 1993. California Stormwater Best Management Practice Handbook – Municipal. March. (For treatment controls)

US Environmental Protection Agency. 1993. Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters, Issued Under Authority of Section 6217(g) of the Coastal Zone Act Reauthorization Amendments of 1990. EPA 840-B-92-002. January.

Center for Watershed Protection, Watershed Protection Techniques, A Quarterly Bulletin on Urban Watershed Restoration and Protection Tools.

Center for Watershed Protection. 1996. Design of Stormwater Filtering Systems, prepared for Chesapeake Research Consortium, December.

Center for Watershed Protection. 1995. Site Planning for Urban Stream Protection, prepared by T. Schueler for Metropolitan Washington Council of Governments. (For information on cluster development, stream protection buffers, street reduction controls)

#### MANDATORY DESIGN STANDARDS

All discretionary development and redevelopment projects that fall into one of the following categories are subject to the Design Standards set forth below. These categories are:

1. Single-Family Hillside Residences
2. 100,000 Square Foot Commercial Developments



1. Design Standards Applicable to All Categories:

a. Peak Storm Water Runoff Discharge Rates. Post-development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increased peak storm water discharge rate will result in increased potential for downstream erosion.

b. Conserve Natural Areas. If determined appropriate by the City, the following items must be implemented in the site layout during the subdivision design and approval process, consistent with applicable General Plan and Local Area Plan policies:

1) Concentrate or cluster Development on portions of a site while leaving the remaining land in a natural undisturbed condition.

2) Limit clearing and grading of native vegetation at a site to the minimum amount needed to build lots, allow access, and provide fire protection.

3) Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.

4) Promote natural vegetation by using parking lot islands and other landscaped areas.

5) Preserve riparian areas and wetlands.

c. Minimize Storm Water Pollutants of Concern. The development must be designed so as to minimize, to the maximum extent practicable, the introduction of pollutants of concern that may result in significant impacts, generated from site runoff of directly connected impervious areas (DCIA), to the storm water conveyance system as approved by the building official. Pollutants of concern consist of any pollutants that exhibit one or more of the following characteristics: current loadings or historic deposits of the pollutant are impacting the beneficial uses of a receiving water, elevated levels of the pollutant are found in sediments of a receiving water and/or have the potential to bioaccumulate in organisms therein, or the detectable inputs of the pollutant are at concentrations or loads considered potentially toxic to humans and/or flora and fauna. In meeting this specific requirement, "minimization of the pollutants of concern" will require the incorporation of a BMP or combination of BMPs best suited to maximize the reduction of pollutant loadings in that runoff to the Maximum Extent Practicable.

d. Protect Slopes and Channels. Project plans must include BMPs consistent with local codes, ordinances, or other regulatory mechanism and these Design Standards to decrease the potential of slopes and/or channels from eroding and impacting storm water runoff:

1) Convey runoff safely from the tops of slopes and stabilize disturbed slopes.

2) Utilize natural drainage systems to the maximum extent practicable.

3) Stabilize permanent channel crossings.

4) Vegetate slopes with native or drought tolerant vegetation, as appropriate.

5) Install energy dissipaters, such as riprap, at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels in accordance with applicable specifications to minimize erosion, with the approval of all agencies with jurisdiction, e.g., the U.S. Army Corps of Engineers and the California Department of Fish and Game.

e. Provide Storm Drain System Stenciling and Signage. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as: "NO DUMPING – DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping. Signs

and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area. Legibility of stencils and signs must be maintained.

#### Attachment 1

f. Properly Design Outdoor Material Storage Areas. Outdoor material storage areas refer to storage areas or storage facilities solely for the storage of materials. Where proposed project plans include outdoor areas for storage of materials that may contribute pollutants to the storm water conveyance system, the following Structural or Treatment BMPs are required:

- 1) Materials with the potential to contaminate storm water must be: (a) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the storm water conveyance system; or (b) protected by secondary containment structures such as berms, dikes, or curbs.
- 2) The storage area must be paved and sufficiently impervious to contain leaks and spills.
- 3) The storage area must have a roof or awning to minimize collection of storm water within the secondary containment area.

g. Properly Design Trash Storage Areas. A trash storage area refers to an area where a trash receptacle or receptacles (dumpsters) are located for use as a repository for solid wastes. All trash storage areas must meet the following Structural or Treatment Control BMP requirements (individual single family residences are exempt from these requirements):

- 1) Trash container areas must have drainage from adjoining roofs and pavement diverted around the area(s).
- 2) Trash container areas must be screened or walled to prevent off-site transport of trash.

h. Provide Proof of Ongoing BMP Maintenance. If a project applicant has included or is required to include, Structural or Treatment Control BMPs in project plans, the applicant shall provide verification of maintenance provisions through such means as may be considered appropriate by the City, including but not limited to legal agreements, covenants, CEQA mitigation requirements and/or Conditional Use Permits. For all properties, the verification will include the developer's signed statement, as part of the project application, accepting responsibility for all structural and treatment control BMP maintenance until the time the property is transferred and, where applicable, a signed agreement from the public entity assuming responsibility for Structural or Treatment Control BMP maintenance. The transfer of property to a private or public owner must have conditions requiring the recipient to assume responsibility for maintenance of any Structural or Treatment Control BMP to be included in the sales or lease agreement for that property, and will be the owner's responsibility. The condition of transfer shall include a provision that the property owners conduct maintenance inspection of all Structural or Treatment Control BMPs at least once a year and retain proof of inspection. For residential properties where the Structural or Treatment Control BMPs are located within a common area which will be maintained by a homeowner's association, language regarding the responsibility for maintenance must be included in the project's conditions, covenants and restrictions (CC&Rs). Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, how the necessary maintenance can be performed, and assistance that the City may be able to provide. The transfer of this information shall also be required with any subsequent sale of the property. If Structural or Treatment Control facilities are located within a public area proposed for transfer, they will be the responsibility of the developer until they are accepted for transfer by the public agency. Structural or Treatment Control facilities proposed for transfer must meet design standards adopted by the public entity for the facilities installed and shall be approved by the public agency prior to its installation.

i. Properly Design Structural and Treatment Control Facilities. Structural and treatment control facilities shall be designed based on either a volumetric or flow based treatment control design standard, or both, as described below to mitigate (infiltrate, filter or treat) storm water runoff:

1) Volumetric Treatment Control Design Standard:

a) The 85th percentile 24-hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or

b) The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/Commercial, (2003); or

c) The volume of runoff produced from a historical-record based reference 24-hour rainfall criterion for "treatment" that achieves approximately the same reduction in pollutant loads achieved by the 85th percentile 24-hour runoff event.

2) Flow Based Treatment Control Design Standard:

- a) The flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the area; or Attachment 1
- b) The flow of runoff produced from a rain event that will result in treatment of the same portion of runoff as treated using volumetric standards above.

Limited Exclusion: Restaurants and Retail Gasoline Outlets, where the land area for development or redevelopment is less than 5,000 square feet, are excluded from the numerical Structural or Treatment Control BMP design standard requirement only.

2. Provisions Applicable to Individual Priority Project Categories:

a. 100,000 Square Foot Commercial Developments:

1) Properly Design Loading/Unloading Dock Areas:

- a) Cover loading dock areas or design drainage to minimize run-on and runoff of storm water.
- b) Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.

2) Properly Design Repair/Maintenance Bays:

- a) Repair/maintenance bays must be indoors or designed in such a way that doesn't allow storm water run-on or contact with storm water runoff.
- b) Design a repair/maintenance bay drainage system to capture all wash water, leaks and spills. Connect drains to a sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required by local wastewater authority, obtain an Industrial Waste Discharge Permit.

3) Properly Design Vehicle/Equipment Wash Areas:

- a) Self-contained and/or covered areas must be equipped with a clarifier, or other pretreatment facility, and
- b) Properly connected to a sanitary sewer or other appropriately permitted disposal facility.

b. Restaurants:

1) Properly Design Equipment/Accessory Wash/Steam Clean Areas:

- a) These areas must be self-contained, equipped with a grease trap, and properly connected to a sanitary sewer.
- b) If the wash area is to be located outdoors, it must be covered, paved, have secondary containment, and be connected to the sanitary sewer or other appropriately permitted disposal facility.

c. Retail Gasoline Outlets:

1) Properly Design Fueling Area:

- a) The fuel dispensing area must be covered with an overhanging roof structure or canopy. The canopy's minimum dimensions must be equal to or greater than the area within the grade break. The canopy must not drain onto the fuel dispensing area, and the canopy downspouts must be routed to prevent drainage across the fueling area.
- b) The fuel dispensing area must be paved with Portland cement concrete (or equivalent smooth impervious surface), and the use of asphalt concrete shall be prohibited.
- c) The fuel dispensing area must have a 2% to 4% slope to prevent ponding, and must be separated from the rest of the site by a grade break that prevents run-on of storm water to the extent practicable.

- d) At a minimum, the concrete fuel dispensing area must extend 6.5 feet (2.0 meters) from the corner of each fuel dispenser, or the length at which the hose and nozzle assembly may be operated plus 1 foot (0.3 meter), whichever is less.

d. Automotive Repair Shops:

#### 1) Properly Design Fueling Area:

Attachment 1

- a) The fuel dispensing area must be covered with an overhanging roof structure or canopy. The canopy's minimum dimensions must be equal to or greater than the area within the grade break. The canopy must not drain onto the fuel dispensing area, and the canopy downspouts must be routed to prevent drainage across the fueling area.
- b) The fuel dispensing area must be paved with Portland cement concrete (or equivalent smooth impervious surface), and the use of asphalt concrete shall be prohibited.
- c) The fuel dispensing area must have a 2% to 4% slope to prevent ponding, and must be separated from the rest of the site by a grade break that prevents run-on of storm water to the extent practicable.
- d) At a minimum, the concrete fuel dispensing area must extend 6.5 feet (2.0 meters) from the corner of each fuel dispenser, or the length at which the hose and nozzle assembly may be operated plus 1 foot (0.3 meter), whichever is less.

#### 2) Properly Design Repair/Maintenance Bays:

- a) Repair/maintenance bays must be indoors or designed in such a way that doesn't allow storm water run-on or contact with storm water runoff.
- b) Design a repair/maintenance bay drainage system to capture all wash-water, leaks and spills. Connect drains to a sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required by local wastewater authority, obtain an Industrial Waste Discharge Permit.

#### 3) Properly Design Vehicle/Equipment Wash Areas:

- a) These areas must be self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to a sanitary sewer or other appropriately permitted disposal facility.

#### 4) Properly Design Loading/Unloading Dock Areas:

- a) Cover loading dock areas or design drainage to minimize run-on and runoff of storm water.
- b) Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.

#### e. Parking Lots:

##### 1) Properly Design Parking Areas:

- a) Reduce impervious land coverage of parking areas.
- b) Infiltrate or treat runoff.

##### 2) Properly Design To Limit Oil Contamination and Perform Maintenance:

- a) Treat to remove oil and petroleum hydrocarbons at parking lots that are heavily used (e.g. fast food outlets, lots with 25 or more parking spaces, sports event parking lots, shopping malls, grocery stores, discount warehouse stores).
- b) Ensure adequate operation and maintenance of treatment systems particularly sludge and oil removal, and system fouling and plugging prevention control.

#### 1. Waiver.

At its discretion and for good cause, the City may waive one or more of the requirements set forth in this Section if impracticability for a specific property can be established. A waiver of impracticability shall be granted only when all other Structural or Treatment Control BMPs have been considered and rejected as infeasible. Recognized situations of impracticability include, (i) extreme limitations of space for treatment on a redevelopment project, (ii) unfavorable or unstable soil conditions at a site to attempt infiltration, and (iii) risk of ground water contamination because a known unconfined aquifer lies beneath the land surface or an existing or potential underground source of drinking water is less than 10 feet from the soil surface. A waiver may be revoked for cause and with proper notice.

#### 4. Limitation on Use of Infiltration BMPs.

Three factors significantly influence the potential for storm water to contaminate ground water. They are (i) pollutant mobility, (ii) pollutant abundance in storm water, (iii) and soluble fraction of pollutant. The risk of contamination of groundwater may be reduced by pretreatment of storm water. In addition, the distance of the groundwater table from the infiltration BMP may also be a factor determining the risk of contamination. A water table distance separation of ten feet depth in California presumptively poses negligible risk for storm water not associated with industrial activity or high vehicular traffic.

Site specific conditions must be evaluated when determining the most appropriate BMP. Additionally, monitoring and maintenance must be provided to ensure groundwater is protected and the infiltration BMP is not rendered ineffective by overload. This is especially important for infiltration BMPs for areas of industrial activity or areas subject to high vehicular traffic [25,000 or greater average daily traffic (ADT) on main roadway or 15,000 or more ADT on any intersecting roadway]. In some cases pretreatment may be necessary.

5. Alternative Certification for Storm Water Treatment Mitigation.

In lieu of conducting a detailed BMP plan review to verify Structural or Treatment Control BMP adequacy, the City may, at its discretion, elect to accept a signed certification from a Civil Engineer or a Licensed Architect registered in the State of California, that the plan meets the criteria established herein. Certifying person(s) will have to demonstrate to the City's satisfaction that they have been trained on BMP design for water quality not more than two years prior to the signature date. Training conducted by an organization with storm water BMP design expertise (e.g., a University, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association) may be considered qualifying.

Attachment A

(Sample Agreement)

Agreement Regarding Maintenance of Structural or Treatment Control BMPs (Best Management Practices)

for APN No. \_\_\_\_\_

\_\_\_\_\_, being the owner of the real property located at \_\_\_\_\_, California, consents and agrees to inspect and maintain annually, prior to October 15 of each year, the Structural or Treatment Control BMPs (such as silt and/or grease traps or detention systems) on the subject property as shown on the improvement plans dated \_\_\_\_\_, on file with the City of \_\_\_\_\_. I agree to forward a letter providing proof of inspection and maintenance to the City of \_\_\_\_\_ Public Works Department prior to October 15 of each year.

In order to transfer the property to a private or public owner, I shall require the recipient to assume responsibility for maintenance of any Structural or Treatment Control BMPs in the sales or lease agreement for that property. The condition of transfer shall include a provision that the new property owner agrees to forward a letter providing proof of BMP inspection and maintenance to the City of \_\_\_\_\_ Public Works Department prior to October 15 of each year.

Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information shall also be required with any subsequent sale of the property.

I have read the above agreement and understand it.

\_\_\_\_\_

Owner

\_\_\_\_\_

Date

(Ord. 2014-01 § 1 (Exh. A), 2014).

<sup>1</sup> Facilities or a combination of facilities, of a different design than in Section B.3.b.ii. may be permitted if all of the following measures of equivalent effectiveness are demonstrated: 1) equal or greater amount of runoff infiltrated or evapotranspired; 2)

equal or lower pollutant concentrations in runoff that is discharged after biofiltration; 3) equal or greater protection against shock loadings and spills; and 4) equal or greater accessibility and ease of inspection and maintenance

Attachment 1

2  
Technical guidance for designing bioretention facilities is available from the Central Coast LID Initiative. The guidance includes design specifications and plant lists appropriate for the Central Coast climate.  
([http://www.centralcoastlidi.org/Central\\_Coast\\_LIDI/LID\\_Structural\\_BMPs.html](http://www.centralcoastlidi.org/Central_Coast_LIDI/LID_Structural_BMPs.html))

3  
Use either the methodology provided in Part I.D of the December 2009 Technical Guidance on Implementing the Stormwater Runoff Requirements for Federal Projects under Section 438 of the Energy Independence and Security Act, or, rainfall statistics provided by the Central Coast Water Board, whichever produces a more accurate value for rainfall depth.

4  
Calculate Equivalent Impervious Surface Area using guidance in Attachment E.

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The Carmel-by-the-Sea Municipal Code is current through Ordinance 2023-05, passed July 11, 2023.

Disclaimer: The city clerk’s office has the official version of the Carmel-by-the-Sea Municipal Code. Users should contact the city clerk’s office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://ci.carmel.ca.us/>  
City Telephone: (831) 620-2000

[Code Publishing Company](#)

## Chapter 17.42

## STORMWATER QUALITY AND UTILITY

## Sections:

17.42.010 Purpose.

17.42.020 Definitions.

17.42.030 Urban Runoff Water Quality and Discharge Management.

17.42.40 Enforcement.**17.42.010 Purpose.**

The provisions of this chapter are intended to ensure the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses and waterbodies in compliance with the ~~F~~<sup>F</sup>ederal Clean Water Act (~~33 USC 1251 et seq.~~), the California Coastal Act, and California Porter-Cologne Water Quality Control Act (Porter-Cologne Act) by reducing pollutants in stormwater discharges to the maximum extent practicable, by prohibiting non-stormwater discharges to the storm drain system, and by managing the City's storm and surface water drainage system. Requirements of this chapter shall be implemented and enforced in accordance with ~~the schedules adopted as part of the National Pollution Discharge Elimination System Phase II permit (NPDES). (Ord. 2014 01 § 1 (Exh. A), 2014; Ord. 2013 04 (Exh. A), 2013; Ord. 2004 02 § 1, 2004; Ord. 2004 01 § 1, 2004)~~ and requirements under the State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ, National Pollution Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4), as may be amended, and any superseding order, and the Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032, Approving Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, as may be amended, and any superseding order.

17.42.020 Definitions.

The terms used in this Chapter shall have the following meanings:

- a) Best Management Practices (BMPs) means activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. BMPs include but are not limited to: treatment facilities to remove pollutants from storm water; operating and maintenance procedures; facility management practices to control runoff, spillage or leaks of non-stormwater, wastewater, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures.
- b) California Construction Stormwater General Permit (CGP) means NPDES No. CAS000002, State Water Resources Control Board Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ, and as may be subsequently amended.
- c) California Industrial General Permit (IGP) means the NPDES No. CAS000001, State Water Resources Control Board Order No. 2014-0057-DWQ as amended in 2015 and 2018, as may be subsequently amended.
- d) Illegal Discharge means any direct or indirect discharge to the City's storm drain system that is not composed entirely of stormwater, except discharges pursuant to an NPDES permit, including discharges allowed in the Phase II Permit Attachment C, Area of Special Biological Significance Specific Provisions, and discharges resulting from firefighting activities.
- e) Illicit Connections means either of the following: 1. Any drain or conveyance, whether on the surface or subsurface, that allows an illegal discharge to enter the storm drain system, including but not limited to any conveyances that allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency; or 2. Any drain or conveyance

connected from a commercial or industrial land use to the storm drain system which has not been permitted and approved by the City.

- f) Low Impact Development (LID) is an approach to stormwater management that aims to replicate the site's natural hydrologic balance, using site design strategies to minimize stormwater runoff, integrated with small-scale, distributed structural BMPs that retain stormwater on site via infiltration, evaporation, evapotranspiration, or harvesting for later use.
- g) Non-Stormwater Discharge means any discharge to the storm drain system that is not composed entirely of storm water or that contains any pollutant.
- h) Phase II Permit means the State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ National Pollution Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4), as may be subsequently amended.
- i) Pollutant means anything that causes or contributes to water pollution, including but not limited to paints, varnishes, and solvents; oil and other automotive fluids; chemicals in dust from automotive brake pads and tires; non-hazardous liquid and solid wastes; green waste and other yard waste; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations that may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and waste; fecal coliform and other pathogens in sewage or other wastewater; dissolved and particulate metals; animal waste; waste and discharges that result from constructing a building or structure (including but not limited to sediment, slurries, and concrete rinsates); and noxious or offensive matter of any kind that may be discharged into the storm drain system or waterbodies.
- j) Storm Drain System means any publicly-owned facilities operated by the City by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, storm drain pipes, pumping facilities, stormwater retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures that are within the City.

#### **17.42.0230 Urban Runoff Water Quality and Discharge Management.**

A. Applicability. This ~~section~~ **chapter** shall apply to all stormwater and non-stormwater runoff entering the storm drain system ~~or waterbodies~~, generated on any developed and undeveloped lands within the City.

##### **B. Administration.**

1. Responsibility for Administration. The Public Works Director shall administer, implement, and enforce the provisions of this section. Any powers granted to or duties of the Public Works Director may be delegated in writing by the Public Works Director to persons or entities acting in the beneficial interest of or in the employ of the City.

2. Regulatory Consistency. This section shall be construed to ensure consistency with the requirements of the Clean Water Act, ~~and~~ Porter-Cologne Act, California Coastal Act, Phase II Permit, California Industrial General Permit (IGP), California Construction Stormwater General Permit (CGP) and statutes and regulations that amend or supplement those Acts and permits.

~~3. Ultimate Responsibility of Discharger. The requirements of this section are minimum standards; therefore this section does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into waters of the U.S. caused by that person. This section shall not create liability on the part of the City, or any agent or employee of the City, for any damages that result from any discharger's reliance on this section or any administrative decision in compliance with this section.~~

##### **C. Discharge Prohibitions.**



1. General Prohibition. No person shall discharge or cause to be discharged ~~into the municipal storm drain system or watercourses~~ any ~~materials, including~~ pollutants or waters containing any pollutants into the municipal storm drain system or watercourses, or any materials that may cause or contribute to a violation of applicable water quality standards ~~other than stormwater~~. Examples of prohibited discharges or illegal connections to the storm drain system include, but are not limited to:

- a. Water from the cleaning of gas stations, vehicle service garages, or other types of vehicle service facilities;
- b. Water, cleansers, or solvents from the cleaning of machinery or equipment, and other such commercial and industrial activities;
- c. Water from the washing or rinsing of vehicles, that contains soap, detergents, solvents, or other cleaners;
- d. Water from the washing or rinsing of vehicles, with or without soap, from auto body repair shops, including water from the cleaning or rinsing of vehicle engines, undercarriages, or auto parts;
- e. Automotive fluids;
- f. Wash Water from floor mat and hood cleaning at food service facilities;
- g. Food and kitchen cleaning water from food service facilities;
- h. Grease, food, or wash water from food or kitchen service facilities, or mobile food vendors;
- i. Leakage from dumpsters or other trash containers;
- j. Water from the cleaning or rinsing of garbage dumpster areas and areas where garbage is stored or contained;
- k. Water from pressure washing, steam cleaning, and hand scrubbing of sidewalks, gutters, plazas, alleyways, outdoor eating areas, steps, building exteriors, walls, driveways, and other outdoor surfaces;
- l. Wastewater or cleaning fluids from commercial cleaning operations such as carpet and mat cleaning, pet washing, and vehicle detailing;
- m. Swimming pool and spa water;
- n. Wash out from concrete trucks, or ready-mix concrete washout;
- o. Construction debris and fluids, such as, but not limited to, paint, dirt or sediment, chemical products, construction waste, rinse or wash waters; and
- p. Sewage.

The commencement, conduct or continuance of any ~~other~~ non-stormwater discharge to the storm drain system is prohibited, except for the following.

- ~~a. Certain types of discharges will not be considered a source of pollutants to the storm drain system and to waters of the U.S. when properly managed in a manner approved by the Director of Public Works to ensure that no potential pollutants are present, and therefore are not considered illegal discharges unless determined to cause a violation of the provisions of the Porter Cologne Act, Clean Water Act, or other provisions of this section. These types of discharges are listed in Section 1.6 of the City's LID Guidance Manual in Appendix I to Chapter 17.43 CMC.~~

**a. Discharges that are allowed in Attachment C, Area of Special Biological Significance Specific Provisions, of the Phase II Permit.**

b. ~~This prohibition shall not apply to a~~Any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered by the State of California ~~under the authority of the Federal Environmental Protection Agency or the U.S. Environmental Protection Agency~~; provided, that 1) the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations; and 2) ~~provided, that~~ written approval has been granted by the City for any discharge to the storm drain system.

c. ~~With the written concurrence of the Regional Board, the City may grant~~ Discharges authorized by a written exemption by the City, obtained following written concurrence of the Regional Water Quality Control Board, for ~~other~~ specific non-stormwater discharges which are not a source of pollutants to the storm drain system ~~nor the waters of the U.S.~~ Notwithstanding the requirements of subsection (E)(1) of this section, Authority to Inspect, the Public Works Director may require by written notice that a person responsible for an illegal discharge immediately, or by a specified date, discontinue the discharge and, if necessary, take measures to eliminate the source of the discharge to prevent the occurrence of future illegal discharges.

2. Illicit Connections. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

a. The Public Works Director may require by written notice that a person responsible for an illicit connection to the storm drain system comply with the requirements of this section to eliminate or secure approval for the connection by a specified date.

b. If, subsequent to eliminating a connection found to be in violation of this section, the responsible person can demonstrate that an illegal discharge will no longer occur, the person may request City approval to reconnect. The reconnection or reinstallation of the connection shall be at the expense of the responsible person.

3. Waste Disposal. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, ~~in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drain system, or water of the U.S.,~~ any liquids, powders, refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that they may cause or contribute to water pollution any pollutant entering into the storm drain system or any watercourse. Wastes deposited in ~~proper~~ waste receptacles designated for the purposes of collection are ~~exempted from~~ not subject to this prohibition.

4. Discharges in Violation of ~~Industrial or Construction Activity NPDES Stormwater Discharge~~ Permits. Any person subject to an industrial or construction activity NPDES Storm Water stormwater ~~Discharge~~ Permit shall comply with all provisions of the permit. Proof of compliance with the permit may be required in a form acceptable to the Public Works Director prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

**D. Regulations and Requirements.**

**1. Prevention, Control, and Reduction of Stormwater Pollutants.**

~~a. Authorization to Adopt and Impose Best Management Practices. The City will adopt requirements identifying best management practices (BMP) for activities, operations, or facilities which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or waters of the U.S. These are contained in the BMP Guidance Series in Appendix J to Chapter 17.43 CMC. Where best management practices requirements are promulgated by the City or any Federal, State of California, or~~

~~regional agency for any activity, operation, or facility which would otherwise cause the discharge of pollutants to the storm drain system or water of the U.S., every person undertaking such activity or operation, or owning or operating such facility shall comply with such requirements. The Public Works Director will periodically report to the City Council on the status of implementation of BMPs and any new BMPs that are expected to be developed for inclusion in the BMP Guidance Series. In the event more restrictive requirements pertaining to new development and redevelopment are contained in the City's Low Impact Development Guidance Manual than are contained in the BMP Guidance Series, the more restrictive requirements contained in the Low Impact Development Guidance Manual will govern.~~

~~ba. New Development and Redevelopment. The City shall adopt Low Impact Development (LID) requirements identifying appropriate best management practices~~ **requires the use of BMPs** ~~to control the volume, rate, and potential pollutant load of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants as defined by Chapter 17.43 CMC~~ **in stormwater runoff, and to minimize adverse impacts on aquatic environments.** ~~The LID requirements of this chapter are general in nature. More detailed requirements, some of which are in addition to those contained in this Chapter, are contained in the City's Low Impact Development Guidance Manual (LID Guidance Manual) in Appendix I to Chapter 17.43 CMC. Persons or entities undertaking or owning new development and/or redevelopment projects shall comply with the requirements in the CMC and in the LID Guidance Manual. The Public Works Director will periodically report to the City Council on the status of implementation of LID requirements and new LID requirements that are expected to be developed for inclusion in the LID Guidance Manual.~~ **All development shall comply with applicable BMP requirements and standards for such development set forth in the Phase II Permit; the California Regional Water Quality Control Board Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, as adopted by the California Regional Water Quality Control Board by Resolution No. R3-2013-0032; the City's Standard Operating Guidance 17-07 Private Stormwater Drainage Systems (SOG 17-07); and the Monterey Regional Stormwater Management Program (MRSWMP) Stormwater Technical Guide for Low Impact Development (LID). All development shall be designed consistent with such standards and guidance. Applicants shall also ensure that development projects are compliant with applicable local, state, and federal laws and regulatory permit authorities, including U.S. Army Corps of Engineers, California Coastal Commission, Regional Water Quality Control Board, State Water Resources Control Board, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Association (NOAA) Monterey Bay National Marine Sanctuary, and in conformance with Low Impact Development site assessment and design standards of the Phase II Permit and California Regional Water Quality Control Board Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region.**

~~The City shall incorporate these requirements in any land use entitlement and construction or building related permit to be issued for the development or redevelopment and the Director shall administer, implement and enforce the provisions of Chapter 17.43 CMC.~~

~~e. Responsibility to Implement Best Management Practices. Notwithstanding the presence or absence of requirements promulgated in compliance with subsections (D)(1)(a) and (D)(1)(b) of this section, any person engaged in activities or operations, or owning facilities or property which will or may result in pollutants entering stormwater, the storm drain system, or waters of the U.S. shall implement best management practices to the maximum extent practicable as determined by the Director of Public Works to prevent and reduce the pollutants.~~

~~i. The owner or operator of a commercial or industrial establishment shall provide to the maximum extent practicable protection, as determined by the Director, from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses.~~

~~ii. Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner or operator's expense.~~

~~iii. Best management practices required by the City can be obtained from the Public Works Department or the Community Planning and Building Department.~~

**b. Construction Sites. BMPs to reduce pollutants in any storm water runoff activities shall be incorporated in any land use entitlement and/or construction or building-related permit. The owner and developer shall comply with the terms, provisions, and conditions of such land use entitlements and/or building permits as required by the City and as required by the Phase II Permit as amended thereto, including, but not limited to, the requirement to submit, implement, and maintain site-specific construction BMPs as applicable for erosion and sediment control, soil stabilization, source controls, materials and stockpile management, dewatering, and similar pollution prevention measures to prevent dumping or illegal discharges during construction into the storm drain system.**

**Any person engaged in activities or operations, or owning facilities or property that may result in pollutants entering stormwater, the storm drain system, or any watercourse, shall take all necessary measures to prevent illicit discharges.**

2. Watercourse Protection. Every person owning property through which a watercourse passes, or the person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, stagnant pools of water and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse ~~to the extent required by the Director of Public Works~~. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. The owner or lessee shall not remove healthy bank vegetation beyond that actually necessary for maintenance, nor remove said vegetation in such a manner as to increase the vulnerability of the watercourse to erosion. The property owner shall be responsible for maintaining and stabilizing that portion of the watercourse that is within their property lines to protect against erosion and degradation of the watercourse on site and downstream. ~~Property owners shall select "soft engineered" techniques when possible for maintaining and stabilizing stream banks.~~

3. Remediation. Whenever the Public Works Director finds that a discharge of pollutants **into the storm drain system or any watercourse** is taking place, ~~or has occurred, or is likely to result absent remediation, which will result in or has resulted in pollution of stormwater, the storm drain system, or water of the U.S.,~~ the Public Works Director ~~may require by~~ **shall issue** written notice to the owner of the property and/or the responsible person **requiring** that the pollution be remediated and the affected property restored within a specified time ~~in compliance with subsection (F) of this section, Enforcement.~~

#### **17.42.040 Enforcement.**

##### **EA. Inspection and Monitoring.**

1. Authority to Inspect. Whenever necessary to ~~make~~ **conduct** an inspection to enforce any provision of this section, or whenever the Public Works Director has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this ~~section~~ **chapter**, the Director may **request to** enter such premises at all reasonable times to inspect the same and to inspect and copy records related to stormwater compliance. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

2. Authority to Sample, Establish Sampling Devices, and Test. During any inspection in compliance with this section, the Public Works Director may take any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to record site activities.

##### **EB. Enforcement.**

1. Violations **Subject to Criminal Penalty. Any violation of this chapter shall be a misdemeanor and shall be subject to penalty in accordance with Chapter 1.16.** ~~It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this section. A violation of or failure to comply with any of the requirements of this section shall constitute a misdemeanor. Such violations may also violate persons may also be in violation of the Clean Water Act, the California Coastal Act, and/or the Porter-Cologne Act and may be subject to the sanctions of those acts~~ **penalty under state and federal law** including civil and

criminal penalties. ~~Any enforcement action authorized under this section may also include written notice to the violator of this potential liability.~~

**2. Violations of this chapter shall also be subject to administrative civil penalties in accordance with Chapter 18.04.**

**3. Violations of this chapter are declared a public nuisance and shall be subject to abatement in accordance with Chapter 15.57. Nothing in this chapter shall limit the authority of the City to undertake emergency or summary abatement in the manner authorized by law.**

~~2. Notice of Violation. Whenever the Public Works Director finds that a person has violated a prohibition or failed to meet a requirement of this section, the Public Works Director may order compliance by written notice of violation to the responsible person. The notice may require without limitation:~~

- ~~a. The performance of monitoring, analyses, and reporting;~~
- ~~b. The elimination of illicit connections or discharges;~~
- ~~c. That violating discharges, practices, or operations shall cease and desist;~~
- ~~d. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;~~
- ~~e. Payment of compensation to cover administrative and remediation costs;~~
- ~~f. The implementation or maintenance of source control or treatment BMPs;~~
- ~~g. Payment of a fine as determined by action of the City Council.~~

~~If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which remediation or restoration must be completed. The notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the City or a contractor designated by the Public Works Director, with the cost of the work charged to the violator in compliance with subsection (F)(4) of this section, Emergency Abatement by City.~~

~~3. Appeal. Notwithstanding the provisions of subsection (F)(4) of this section, Emergency Abatement by City, any person receiving a notice of violation in compliance with subsection (F)(2) of this section, Notice of Violation, may appeal the determination of the Public Works Director to the City Administrator. The notice of appeal must be received by the City Administrator within five days from the date of the notice of violation. Hearing on the appeal before the City Administrator or his/her designee shall take place within 15 days from the date of City's receipt of the notice of appeal. The decision of the City Administrator or designee shall be final.~~

~~4. Emergency Abatement by City. If the violation has not been corrected in compliance with the requirements in the notice of violation, or, in the event of an appeal in compliance with subsection (F)(3) of this section, within 10 days of the decision of the City Administrator upholding the decision of the Public Works Director, then the City or a contractor designated by the Public Works Director may enter upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the City or designated contractor to enter upon the premises for the purposes set forth above.~~

~~5. Charging Cost of Abatement/Liens. Within 30 days after abatement of the nuisance by the City, the Public Works Director shall notify the property owner of the property of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment with the City Clerk within 15 days. The City Clerk shall set the matter for public hearing by the City Council. The decision of the Council shall be set forth by resolution and shall be final.~~

~~If the amount due is not paid within 10 days of the decision of the Council or the expiration of the time in which to file an appeal under this section, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. A copy of the resolution shall be turned over to the County Auditor so that the Auditor may enter the amounts of the assessment against the parcel as it appears on the current assessment roll, and the tax collector shall include the amount of the assessment on the bill. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004~~

## Chapter 17.43

### WATER QUALITY PROTECTION ORDINANCE

#### Sections:

17.43.010 Purpose and Intent.

**17.43.020 Definitions.**

~~17.43.030~~ **17.43.0230** Applicability **and Stormwater Management Requirements.**

~~17.43.0340~~ **17.43.0340** **Stormwater Control Requirements, Application Submittal Requirements.**

~~17.43.0450~~ **17.43.0450** BMP Maintenance and Conditions of Transfer.

~~17.43.050~~ **17.43.050** ~~Water Quality Checklist.~~

~~17.43.060~~ **17.43.060** ~~Development Standards.~~

~~17.43.070~~ **17.43.070** ~~Development Specific Design Standards.~~

~~17.43.080~~ **17.43.080** ~~Single Family Residential.~~

~~Appendix I~~ **Appendix I** ~~Low Impact Development Guidance Manual.~~

~~Appendix J~~ **Appendix J** ~~BMP Guidance Series.~~

#### **17.43.010 Purpose and Intent.**

A. The purpose of this chapter is to protect and enhance coastal waters within the City of Carmel in accordance with the policies of the City's Local Coastal ~~Plan~~ **Program (LCP; Sections O5-45 and O5-46), Sections 30230, 30231, 30232 and 30240 of the California Coastal Act, and the City's Phase II NPDES permit requirements the State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ (and subsequent new orders and/or amendments) National Pollution Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) (hereafter Phase II Permit), and the Central Coast Regional Water Quality Control Board (Regional Board) Resolution No. R3-2013-0032 (and subsequent new orders and/or amendments) Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region (Central Coast PCRs).** To implement the certified land use plan, application submittal requirements, development standards, and other measures are provided to ensure that **The purpose of the chapter is to ensure that** permitted development shall be sited and designed to conserve natural drainage features and vegetation, minimize the introduction of pollutants into coastal waters to the maximum extent practicable, limit the discharge of stormwater runoff, and protect the overall quality of coastal waters and resources. ~~All new development and redevelopment within the City shall comply with the requirements in this Chapter and in the City's Low Impact Development Guidance Manual (LID Guidance Manual) in Appendix I to this chapter. (See Chapter 17.42 CMC and CMC 17.42.020(D)(1)(b).)~~

~~B. The intent of this chapter is to address the following principles:~~

~~1. All development shall be evaluated by the Planning Director or his/her designee for potential adverse impacts to water quality and applicants should consider site design, source control and treatment control BMPs in order to minimize polluted runoff and water quality impacts resulting from the development. Site design BMPs reduce the need for source and/or treatment control BMPs, and source control BMPs may reduce the amount of treatment control BMPs needed for a development. Therefore, BMPs should be incorporated into the project design in the following progression:~~

~~a. Site design BMPs;~~

~~b. Source control BMPs;~~

~~c. Treatment control BMPs.~~

~~2. All development shall be designed to minimize the introduction of pollutants that may result in water quality impacts. Projects should be designed to control post-development peak runoff rates and average volumes to maintain or reduce pre-development downstream erosion rates. These objectives can be accomplished through the creation of a hydrologically functional project design that strives to mimic the existing natural hydrologic regime and by achieving the following goals:~~



- ~~a. Maintain and use existing natural drainage courses and vegetation;~~
- ~~b. Conserve natural resources and areas by clustering development on the least environmentally sensitive portions of a site while leaving the remaining land in a natural, undisturbed condition;~~
- ~~c. Minimize the amount of directly connected impervious surface and total area of impervious surface;~~
- ~~d. Incorporate or connect to existing on-site retention and infiltration measures;~~
- ~~e. Direct rooftop runoff to permeable areas rather than driveways or impervious surfaces to reduce the amount of stormwater leaving the site;~~
- ~~f. Minimize clearing and grading.~~

~~3. Incorporating these goals and principles into the project design will help to minimize the introduction of pollutants to the site and decrease the amount of polluted runoff leaving the site, resulting in the overall objective of water quality protection. Appendix I to this chapter describes the requirements and processes for implementing BMPs into development and provides examples of types of BMPs to incorporate.~~

~~4. Nonstructural BMPs are preventative actions that involve management and source controls such as protecting and restoring sensitive areas such as wetlands and riparian corridors, maintaining and/or increasing open space, providing buffers along sensitive water bodies, minimizing impervious surfaces and directly connected impervious areas, and minimizing disturbance of soils and vegetation. Structural BMPs include: storage practices such as wet ponds and extended detention outlet structures; filtration practices such as grassed swales, sand filters and filter strips; and infiltration practices such as infiltration basins and infiltration trenches. In many cases combinations of nonstructural and structural measures will be required to reduce water quality impacts.~~

~~5. Nonstructural and structural BMPs most applicable to the development projects are included in "A Planner's Guide to Conditions of Approval and Standard Mitigation Measures." Additional guidance on best management practices is available from the State, the EPA and from other sources such as BASMAA "Starting at the Source." Stormwater technologies are constantly being improved, and staff and developers must be responsive to any changes, developments or improvements in control technologies. (Ord. 2014 01 § 1 (Exh. A), 2014; Ord. 2013 04 (Exh. A), 2013; Ord. 2004 02 § 1, 2004; Ord. 2004 01 § 1, 2004).~~

#### 17.43.020 Definitions.

The terms used in this Chapter shall have the following meanings:

a) Best Management Practices (BMPs) means activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. BMPs include but are not limited to: treatment facilities to remove pollutants from storm water; operating and maintenance procedures; facility management practices to control: runoff, spillage or leaks of non-storm water, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions that the Public Works Director or designee determines appropriate for the control of pollutants.

b) California Construction Stormwater General Permit (CGP) means the NDPES No. CAS000002, State Water Resources Control Board Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ, and as may be subsequently amended.

c) California Industrial General Permit (IGP) means the NDPES No. CAS000001, State Water Resources Control Board Order No. 2014-0057-DWO as amended in 2015 and 2018, as may be subsequently amended.

d) Central Coast PCRs means the California Regional Water Quality Control Board Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, as



adopted by the California Regional Water Quality Control Board by Resolution No. R3-2013-0032, as may be subsequently amended.

e) Environmentally Sensitive Habitat Areas (ESHA) means any areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

f) Low Impact Development (LID) means systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration, or use of stormwater in order to protect water quality and associated aquatic habitat.

g) Phase II Permit means the State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ National Pollution Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4), as may be subsequently amended from time to time.

h) Pollutant means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete rinsates); and noxious or offensive matter of any kind.

i) Storm Drain System means any publicly-owned facilities operated by the City by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the City.

j) Stormwater Control Plan (SWCP). A plan, developed by a development project applicant whose project is subject to the Central Coast PCRs, detailing how the project will achieve compliance with the applicable Post-Construction Stormwater Management Requirements.

#### **17.43.020 Applicability and Stormwater Management Requirements.**

A. All properties within the City of Carmel are located within the coastal zone as defined in the California Coastal Act and are subject to the policies, standards and provisions contained in the certified LCP that may apply. Where any standard provided in this chapter conflicts with any other policy or standard contained in the City's General Plan, Zoning Code or other City-adopted plan, resolution or ordinance not included in the certified Carmel LCP, and it is not possible for the development to comply with both the Carmel LCP and other plans, resolutions or ordinances, the policies, standards or provisions of the LCP shall take precedence consistent with the hierarchy established in CMC 17.02.090.

B. All projects defined as Regulated Projects in the Central Coast PCRs shall comply with the Stormwater Technical Guide for Low Impact Development (LID) (Technical Guide for LID) and develop a Stormwater Control Plan (SWCP). Development projects listed in Section 17.43.040 subsection (B) shall also comply with the Technical Guide for LID.

C. All private development projects shall comply with City Standard Operating Guidance 17-07 Private Stormwater Drainage Systems (SOG 17-07).

#### **17.43.0340 ~~Application Submittal Requirements~~ Stormwater Control Requirements.**

A. For all projects requiring implementation of an erosion and drainage control plan (subsection (A)(1) of this section), water quality mitigation plan (subsection (D) of this section), or stormwater management plan, the

~~following information shall be submitted with an application for a coastal development permit according to the requirements listed below.~~

~~1. Construction Phase Requirements—Erosion and Drainage Control Plan. All development permit applications involving alterations to existing buildings or site design, or construction of new buildings that meet the criteria below shall include a site specific erosion and drainage control plan. Plans shall be required for new development that (a) increases site coverage by more than five percent of the site area, or (b) involves grading that will affect drainage patterns on or off the site, or (c) involves either a rebuild or construction of a new building. The erosion and drainage control plan shall include a site specific erosion control plan that includes controls on grading (i.e., timing and amounts), best management practice for staging, storage, and disposal of construction materials, design specification of sedimentation basins and landscaping/revegetation of graded or disturbed areas. The plans shall also include a site specific polluted runoff control plan that demonstrates how runoff will be diverted from impermeable surfaces into permeable areas of the property in a nonerosive manner and filter and infiltrate stormwater prior to conveyance off site.~~

~~2. Post Construction Phase Requirements—Site Design and Source Control Measures. Post construction plans detailing how stormwater and polluted runoff will be managed or mitigated should be included in the design of all projects that require an erosion and drainage control plan (subsection (A)(1) of this section). Project submittals shall include details regarding how the project will use appropriate site design and source control BMPs to minimize adverse effects of the project on water quality.~~

~~3. Water Quality Mitigation Plan. For development which does not mitigate impacts to water quality using site design and source control measures and for certain special categories of development (see subsection (E) of this section) a water quality mitigation plan will be required showing how treatment control (or structural) BMPs will be used (in addition to site design and source control BMPs) to minimize the discharge of polluted runoff from the project.~~

~~B. All development that requires an erosion and drainage control plan shall require the implementation of appropriate site design and source control BMPs from subsection (D) of this section and Section 3.0 of the City's LID Guidance Manual in Appendix I to this chapter to minimize post construction polluted runoff. The project plans submitted with the permit application should also specify any treatment control or structural BMPs that the applicant elects to include in the development to minimize post construction polluted runoff, and include the operation and maintenance plans for these BMPs.~~

~~C. Less Than Significant Impacts. The following land uses and projects are generally presumed to have a less than significant project specific water quality impact. These include redevelopment projects that reduce the amount of impervious surfaces on the site, do not change the land use or potential pollutants and are not one of the categories of development requiring a WQMP; and new development and redevelopment projects that incorporate into the project design construction BMPs for erosion, sediment and construction waste control and incorporate post construction BMPs to protect sensitive riparian or wetland resources, reduce the quantity of runoff, and treat runoff generated by the project to pre project levels.~~

~~D. Post Construction Phase Requirements—Water Quality Mitigation Plan. Plans detailing how stormwater and polluted runoff will be managed or mitigated will be required for all projects that require an erosion and drainage control plan. The basic design elements for all projects (see subsection (B) of this section) will demonstrate how the project will use appropriate site design and source control BMPs to minimize adverse effects of the project on water quality. For certain categories of development a water quality mitigation plan will be required showing how treatment control (or structural) BMPs will be used (in addition to site design and source control BMPs) to minimize the discharge of polluted runoff from the project.~~

~~A water quality mitigation plan (WQMP) shall be required for all development that requires an erosion and drainage control plan and either fails to address water quality impact using site design and source control measures or is in a category of development identified below. In addition to the site design and source control BMPs required for a stormwater management plan, the WQMP shall include treatment control (or structural) BMPs identified in Section 4.0 of the City's LID Guidance Manual in Appendix I to this chapter to minimize post construction polluted runoff. The WQMP shall also include the operation and maintenance plans for these BMPs.~~

**A. The following projects shall submit an erosion and sediment control plan, to be approved by the Public Works Director or designee, as part of any building permit application:**

**Projects that (a) include 250 square feet or more of new floor area, or (b) disturb 500 square feet or more of soil, or (c) include any excavation whatsoever, or (d) disturb more than 50 cubic yards of soil.**

**The erosion and sediment control plan shall include controls on grading (i.e., timing and amounts), BMPs for staging, storage, and disposal of construction materials, design specification of erosion and sediment control BMPs, and landscaping/revegetation of graded or disturbed areas.**

**Such projects shall also be subject to a post-construction phase drainage plan, to be approved by the Public Works Director or designee, as part of any building permit application, detailing how stormwater and polluted runoff will be managed or mitigated. The drainage plan shall demonstrate how runoff will be diverted from impermeable surfaces into permeable areas of the property in a nonerosive manner and filter and infiltrate stormwater prior to conveyance off-site. For development which does not mitigate impacts to water quality only using site design and source control BMPs and for certain special categories of development (see subsection (C) of this section) as defined by the LCP, the drainage plan will be required to demonstrate how treatment control (or structural) BMPs will be used (in addition to site design and source control BMPs) to minimize the discharge of polluted runoff from the project and shall be certified by a California Registered Civil Engineer.**

**B. Construction projects with 1.0 acre or greater of land disturbance shall comply with all requirement under the State Water Resources Control Board Construction Stormwater General Permit (Order 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ and subsequent new orders and/or amendments) in addition to an erosion and sediment control plan.**

**EC. Special Categories of Development. A WQMP SWCP shall be required for Regulated Projects as defined by the Phase II Permit that include pollutant-generating activities, projects that fall into one or more of the following categories of development and are not able to meet the appropriate treatment controls for the specific pollutants associated with those development types as set forth in the City's LID Guidance Manual in Appendix I to this chapter as part of the design:**

- 1. Industrial/commercial development;**
- 2. Restaurants;**
- 3. Retail gasoline outlets/automotive service facilities;**
- 4. Parking lots (5,000 square feet or more of impervious surface area or with 25 or more parking spaces)/outdoor storage areas;**
- 5. Projects that discharge to an environmentally sensitive area (ESA) or coastal water. Such projects are defined as being all development and redevelopment located within or directly adjacent to or discharging directly to an environmentally sensitive area (where discharges from the development or redevelopment will enter receiving waters within the environmentally sensitive area). "Directly adjacent" means situated within 200 feet of the environmentally sensitive area. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.**

**The SWCP shall include standard permanent and/or operation source control measures for the following pollutant generating activities and sources, designed consistent with recommendations from the California Stormwater Quality Association (CASQA) Stormwater BMP Handbook for New Development and Redevelopment:**

**a) Accidental spills or leaks**

**(b) Interior floor drains**

(c) Parking/storage areas and maintenance

(d) Indoor and structural pest control

(e) Landscape/outdoor pesticide use

(f) Pools, spas, ponds, decorative fountains, and other water features

(g) Restaurants, grocery stores, and other food service operations

(h) Refuse areas

(i) Industrial processes

(j) Outdoor storage of equipment or materials

(k) Vehicle and equipment cleaning

(l) Vehicle and equipment repair and maintenance

(m) Fuel dispensing areas

(n) Loading docks

(o) Fire sprinkler test water

(p) Drain or wash water from boiler drain lines, condensate drain lines, rooftop equipment, drainage sumps, and other sources

(q) Unauthorized non-storm water discharges

(r) Building and grounds maintenance

~~F. CEQA. Provisions of this section shall be complementary to, and shall not replace, any applicable requirements for stormwater mitigation required under the California Environmental Quality Act or Chapter 17.42 CMC. (Ord. 2014 01 § 1 (Exh. A), 2014; Ord. 2013 04 (Exh. A), 2013; Ord. 2004 02 § 1, 2004; Ord. 2004 01 § 1, 2004).~~

**17.43.040 BMP Maintenance and Conditions of Transfer.**

All projects defined as Regulated Projects by the Central Coast PCRs that are required to install structural and treatment control BMPs to meet the requirements of the Central Coast PCRs shall be subject to legal restrictions to ensure the ongoing maintenance of structural and treatment control BMPs required for the project, pursuant to one of the following:

A. Requirements in conditions, covenants, and restrictions (CCRs) for residential properties assigning maintenance responsibilities to the homeowners' association for maintenance of the structural and treatment control BMPs; or

B. Deed restriction, filed with the County Recorder, requiring the present and subsequent owners to assume legal responsibility; or

C. Any other legally enforceable agreement that assigns responsibility for the maintenance of post-construction structural and treatment control BMPs.

All documents required under this section shall be in a form approved by the City Attorney and be executed by the applicant as a condition of project approval.

~~All applicants shall provide verification of maintenance provisions for structural and treatment control BMPs, including but not limited to legal agreements, covenants, CEQA mitigation requirements, and conditional use permits. Verification at a minimum shall include:~~

~~A. The developer's signed statement accepting responsibility for maintenance until the responsibility is legally transferred; and either~~

~~B. A signed statement from the public entity assuming responsibility for structural and treatment control BMP maintenance and that it meets all local agency design standards; or~~

~~C. Written conditions in the sales or lease agreement, which require the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year; or~~

~~D. Written text in project conditions, covenants, and restrictions (CCRs) for residential properties assigning maintenance responsibilities to the homeowners association for maintenance of the structural and treatment control BMPs; or~~

~~E. Any other legally enforceable agreement that assigns responsibility for the maintenance of post construction structural and treatment control BMPs. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).~~

#### **~~17.43.050 — Water Quality Checklist.~~**

~~A water quality checklist will be developed by the City and used to supplement the CEQA checklist in the permit review process to assess potential water quality impacts and appropriate mitigation measures. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).~~

#### **~~17.43.060 — Development Standards.~~**

~~A. BMP Requirements and Implementation. All development shall be evaluated for potential adverse impacts to water quality and the applicant shall consider site design, source control and treatment control BMPs in order to minimize polluted runoff and water quality impacts resulting from the development. A SWMP requires the implementation of site design and source control BMPs, as specified in CMC 17.43.030(B), and a WQMP requires the implementation of site design, source control and treatment control BMPs, as specified in CMC 17.43.030(C). In order to maximize the reduction of water quality impacts, BMPs should be incorporated into the project design in the following progression: (1) site design BMPs, (2) source control BMPs, and (3) treatment control BMPs. Examples of these BMPs can be found in the City's LID Guidance Manual in Appendix I to this chapter.~~

~~B. BMP Selection Process. In selecting BMPs to incorporate into the project design, the applicant should first identify the pollutants of concern that are anticipated to be generated as a result of the development. The City's LID Guidance Manual in Appendix I to this chapter should be used as a guide in identifying these pollutants of concern. Pollutants generated by the development that exhibit one or more of the following characteristics shall be considered primary pollutants of concern:~~

- ~~1. Current loadings or historical deposits of the pollutant are impairing the beneficial uses of a receiving water.~~
- ~~2. Elevated levels of the pollutant are found in water or sediments of a receiving water and/or have the potential to be toxic to or bioaccumulate in organisms therein.~~
- ~~3. Inputs of the pollutant are at a level high enough to be considered potentially toxic.~~

~~Site design and source control BMPs are required based on pollutants commonly associated with the project type, as identified in Tables 1 and 2 of Attachment 3 of the City's LID Guidance Manual in Appendix I to this chapter. BMPs that minimize the identified pollutants of concern may be selected from the examples in Table 3 of Attachment 3 of the City's LID Guidance Manual in Appendix I to this chapter and CMC 17.43.070, targeting primary pollutants of concern first. In the event that the implementation of a BMP listed in the City's LID Guidance Manual in Appendix I to this chapter or CMC 17.43.070 is determined to be infeasible at any site, the implementation of other BMPs that will achieve the equivalent reduction of pollutants shall be required.~~

~~Treatment control BMPs should be selected using the matrix in Table 3 of Attachment 3 of the City's LID Guidance Manual in Appendix I to this chapter as guidance to determine the removal efficiency of the BMP for the pollutants of concern for that project. Treatment control BMPs that maximize pollutant removal for the identified primary pollutants of concern should receive priority for BMP selection, followed by BMPs that maximize pollutant removal~~

~~for all other pollutants of concern identified for the project. The most effective combination of BMPs for polluted runoff control that results in the most efficient reduction of pollutants shall be implemented. The applicant may select from the list of BMPs in the City's LID Guidance Manual in Appendix I to this chapter. In the event that the implementation of a BMP listed in the City's LID Guidance Manual in Appendix I to this chapter is determined to be infeasible at any site, the implementation of other BMPs that will achieve the equivalent reduction of pollutants shall be required.~~

~~C. Sizing of Treatment Control BMPs. Where post-construction treatment controls are required, the BMPs (or suites of BMPs) shall be designed in accordance with the requirements contained in the City's LID Guidance Manual in Appendix I to this chapter to infiltrate and/or treat the amount of stormwater runoff that will come from the project site, with an appropriate safety factor (i.e., two or greater), for flow-based BMPs.~~

~~The term "treatment" includes physical, biological and chemical processes such as filtration, the use of bioswales, detention and retention ponds and adsorption media. The actual type of treatment should be suited to the pollutants generated by the development as indicated in the City's LID Guidance Manual in Appendix I to this chapter.~~

~~D. Development on Steep Slopes. Specific requirements for development on steep slopes are contained in Section 2.5.2 of the LID Guidance Manual in Appendix I to this chapter.~~

~~E. Cumulative Impacts. Because of the City's designation under the Phase II NPDES regulations, all discretionary projects (except those that do not result in a physical change to the environment) within the urbanized area whose contributions are cumulatively considerable must implement one or more best management practices to reduce their contribution to the cumulative impact. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).~~

#### **17.43.070—Development Specific Design Standards.**

~~A. Commercial Development. Commercial development shall be designed to control the runoff of pollutants from structures, parking and loading areas. The following general measures shall be implemented to minimize the impacts of commercial development on water quality. Specific requirements for commercial development are contained in the City's LID Guidance Manual in Appendix I to this chapter.~~

~~1. Properly Design Loading/Unloading Dock Areas. Loading/unloading dock areas have the potential for material spills to be quickly transported to the stormwater conveyance system.~~

~~2. Properly Design Repair/Maintenance Bays. Oil and grease, solvents, car battery acid, coolant, and gasoline from repair and maintenance bays can negatively impact stormwater if allowed to come into contact with stormwater runoff.~~

~~3. Properly Design Vehicle/Equipment Wash Areas. The activity of vehicle/equipment washing/steam cleaning has the potential to contribute metals, oil and grease, solvents, phosphates, and suspended solids to the stormwater conveyance system.~~

~~4. Properly Design Parking Areas and Parking Lots. Parking areas and parking lots contain pollutants such as heavy metals, oil and grease, and polycyclic aromatic hydrocarbons that are deposited on parking lot surfaces by motor vehicles. These pollutants are directly transported to surface waters. Parking lots may also accumulate oil, grease, and water insoluble hydrocarbons from vehicle drippings and engine system leaks.~~

~~B. Restaurants. Restaurants shall be designed to minimize runoff of oil and grease, solvents, phosphates, and suspended solids to the storm drain system.~~

~~C. Gasoline Stations and Automotive Repair Facilities. Gasoline stations and automotive repair facilities shall be designed to minimize runoff of oil and grease, solvents, car battery acid, coolant and gasoline to stormwater system.~~

~~D. Outdoor Material Storage Areas. Outdoor material storage areas refer to storage areas or storage facilities used solely for the storage of materials. Improper storage of materials outdoors may provide an opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids, and other pollutants to enter the stormwater conveyance system.~~

~~E. Trash Storage Areas. A trash storage area refers to an area where a trash receptacle or receptacles are located for use as a repository for solid wastes. Loose trash and debris can be easily transported by the forces of water or wind into nearby storm drain inlets, channels, and/or creeks. (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).~~

#### ~~17.43.080 — Single Family Residential.~~

~~To mitigate the increased runoff rates from single-family residences due to new impervious surfaces, new and remodel projects which need an erosion and drainage control plan shall include design elements which accommodate on-site percolation, retention or collection of stormwater runoff such that the peak runoff rate after development either meets the eighty-fifth percentile storm event criterion or does not exceed predevelopment runoff levels to the maximum extent practicable, and that runoff that will come from the project site meets the applicable requirements contained in the City's LID Guidance Manual in Appendix I to this chapter. BMPs (including those outlined in the California Stormwater Best Management Practice Handbooks) which may achieve this objective fit into these categories:~~

~~A. Minimizing impervious areas;~~

~~B. Increase rainfall infiltration;~~

~~C. Minimize directly connected impervious areas (DCIAs). (Ord. 2014-01 § 1 (Exh. A), 2014; Ord. 2013-04 (Exh. A), 2013; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).~~

### ~~Appendix I Low Impact Development Guidance Manual.~~

#### ~~1.0 INTRODUCTION~~

##### ~~1.1 Purpose~~

~~This Low Impact Development Guidance Manual (Manual) is intended for use by project developers such as architects, engineers, and building contractors, in designing and constructing projects within the City of Carmel by the Sea (City) to comply with the City's Low Impact Development (LID) requirements. City staff involved in reviewing plans and issuing permits for a project will use this Manual to determine whether or not the project has been designed to meet these requirements.~~

##### ~~1.2 Background~~

~~Discharges from the City's storm drainage system are regulated under a National Pollutant Discharge Elimination System (NPDES) permit issued by the Central Coast Regional Water Quality Control Board (RWQCB) of the State of California. The initial NPDES permit was called the "General Permit for the Discharge of Storm Water from Small Municipal Separate Storm Sewer Systems, Order No. 2003-0005 DWQ." The City became subject to this permit on May 1, 2008. The RWQCB periodically revises its overall storm drainage requirements and imposes them on dischargers by reissuing its General Permit under a new Order number, or by issuing specific requirements to dischargers.~~

~~This Low Impact Development Guidance Manual reflects the "Post Construction Stormwater Management Requirements for Development Projects in the Central Coast Region" adopted by the RWQCB on September 6, 2012. These are referred to herein as the "RWQCB Post Construction Requirements."~~

~~A condition of compliance under the NPDES permit is that the City implements its Storm Water Management Program. One of the State required components of that Program is to develop and implement a set of Best Management Practices (BMPs) to reduce storm water runoff and storm water pollution emanating from new development and redevelopment projects located within the City. This is accomplished by using the LID concepts described in this Manual during the design and construction of those projects.~~



~~LID is a development approach that (1) reduces the amount of storm water runoff by retaining a portion of the storm water on the project site where it can infiltrate into the ground or be released in a controlled manner, and (2) in some instances reduces the amount of pollutants in storm water through natural or manmade treatment processes, so that these discharges do not cause or contribute to a violation of receiving water quality standards established by the RWQCB.~~

### 1.3 Authority

~~Chapters 17.10, 17.34, 17.42, 17.43, and 17.70 of the Carmel by the Sea Municipal Code (CMC) establish certain of the BMP requirements described in this Manual. For ease of reference, citations from sections of these Chapters are designated herein as (§xx.xx.xxx). In addition, on November 3, 2009 the City Council adopted a document titled “BMP Guidance Series” contained in Appendix J to Chapter 17.43 CMC as official City policies pertaining to storm water pollution prevention from new development and redevelopment projects. Requirements taken from that document are designated herein as (BGS). The City may from time to time update the BMP Guidance Series by revising or adding to the requirements contained in that document.~~

~~The City has adopted the requirements described in this Manual to control the volume, rate, and potential pollutant load of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants as defined by Chapter 17.43 of the CMC. The City will incorporate these requirements into any construction or building related permit to be issued for the development or redevelopment. (§17.42.020)~~

~~The purpose of the requirements in Chapter 17.43 is to protect and enhance coastal waters within the City in accordance with the policies of the City’s Local Coastal Plan, the California Coastal Act, and the City’s NPDES permit requirements, and to ensure that permitted development shall be sited and designed to conserve natural drainage features and vegetation, minimize the introduction of pollutants into coastal waters to the maximum extent practicable, limit the discharge of stormwater runoff, and protect the overall quality of coastal waters and resources. (§17.43.010)~~

### 1.4 LID BMP Implementation Tracking

~~In order to facilitate the design review and permitting process, when the plans for a project are submitted to the City they should include a completed copy of the “BMP Implementation Tracking Form” contained in Attachment 1. The plans should also show the locations of the BMPs that have been incorporated into the design of the project.~~

### 1.5 Definitions

~~The terms in this Section are defined as they apply in this LID Guidance Manual.~~

~~Hillside: Hillside means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is 25% or greater.~~

~~Impermeable or Impervious Surface: These terms are used interchangeably in this LID Guidance Manual. Impermeable surface is defined in Chapter 17.70 of the City’s Municipal Code to mean a surface artificially constructed so as to prevent or largely inhibit the infiltration of rainwater or runoff into the natural soils or underlying geologic materials. Impervious surface is defined in the RWQCB’s Post Construction Requirements to mean a hard, non-vegetated surface area that prevents or significantly limits the entry of water into the soil mantle, as would occur under natural conditions prior to development. Common impervious/impermeable surfaces include, but are not limited to, roof tops, walkways, patios,~~



~~driveways, parking lots or storage areas, concrete or asphalt paving, oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.~~

~~Net Impervious Area: The sum of new and replaced post project impervious areas, minus any reduction in total imperviousness from the pre project to post project condition: Net Impervious Area = (New and Replaced Impervious Area) – (Reduced Impervious Area Credit), where Reduced Impervious Area Credit is the total pre project to post project reduction in impervious area, if any.~~

~~New Development: Land disturbing activities that include the construction or installation of buildings, roads, driveways and other impervious surfaces. Development projects with pre-existing impervious surfaces are not considered New Development.~~

~~Permeable or Pervious Surface: A surface that allows varying amounts of stormwater to infiltrate into the ground. Examples include pasture, native vegetation areas, landscape areas, and permeable pavements designed to infiltrate. Permeable pavements include pavers which are set in sand so that water can percolate between the pavers, such as those commonly used for patios, walkways, and driveways.~~

~~Redevelopment: On a site that has already been developed, construction or installation of a building or other structure subject to the City's planning and building authority including: 1) the creation or addition of impervious surfaces; 2) the expansion of a building footprint or addition or replacement of a structure; or 3) structural development including construction, installation or expansion of a building or other structure. It does not include routine road maintenance, nor does it include emergency construction activities required to immediately protect public health and safety.~~

~~Regulated Projects: Regulated Projects include all New Development or Redevelopment projects that create and/or replace >2,500 square feet of impervious surface (collectively over the entire project site).~~

~~Steep Slopes: Has the same meaning as "Hillside".~~

#### 1.6 Exception Discharges

~~Discharges of other than storm water to waters shall be effectively prohibited, except for the following non-storm water discharges which are not prohibited, provided any pollutant discharges are identified and appropriate control measures to minimize the impacts of such discharges are developed and implemented. This provision does not obviate the need to obtain any other appropriate permits for such discharges:~~

- ~~a. Water line flushing;~~
- ~~b. Individual residential car washing;~~
- ~~c. Diverted stream flows;~~
- ~~d. Rising ground waters;~~
- ~~e. Uncontaminated ground water infiltration (as defined at 40 C.F.R. § 35.2005(20)) to separate storm sewers;~~
- ~~f. Uncontaminated pumped ground water;~~
- ~~g. Discharges from potable water sources;~~
- ~~h. Foundation drains;~~

- ~~i. Air conditioning condensation;~~
- ~~j. Springs;~~
- ~~k. Water from crawl space pumps;~~
- ~~l. Footing drains;~~
- ~~m. Flows from riparian habitats and wetlands;~~
- ~~n. Dechlorinated swimming pool discharges; and~~
- ~~o. Incidental runoff of potable or recycled water from landscaped areas (as defined and in accordance with section B.4 of this Order).~~

~~Discharges or flows from fire fighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the U.S. If the City determines that any individual or class of non-storm water discharge(s) listed above may be a significant source of pollutants to waters of the U.S., or poses a threat to water quality standards (beneficial uses), the City may require the discharger to monitor and submit a report and to implement BMPs on the discharge.~~

## ~~2.0 DESIGN~~

### ~~2.1 Selection of BMPs~~

~~In selecting BMPs to incorporate into the project design, the applicant should first identify the pollutants of concern that are anticipated to be generated as a result of the development. Table 1 in Attachment 3 should be used as a guide in identifying these pollutants of concern. Pollutants generated by the development that exhibit one or more of the following characteristics will be considered the primary pollutants of concern:~~

- ~~1. Current loadings or historical deposits of the pollutant are impairing the beneficial uses of a receiving water.~~
- ~~2. Elevated levels of the pollutant are found in water or sediments of a receiving water and/or have the potential to be toxic to or bioaccumulate in organisms therein.~~
- ~~3. Inputs of the pollutant are at a level high enough to be considered potentially toxic.~~

~~2.1.1 Site Design and Source Control BMPs. Site design and source control BMPs should be selected based on pollutants commonly associated with the project type, as identified in Table 1 of Attachment 3. BMPs that minimize the identified pollutants of concern should be selected from the matrix in Table 2 of Attachment 3. In the event that the implementation of a BMP listed in Table 2 of Attachment 3 is determined to be infeasible at any site, the implementation of other BMPs that will achieve the equivalent reduction of pollutants will be required.~~

~~2.1.2 Treatment Control BMPs. In many cases proper application of appropriate site design and source control BMPs will meet the City's LID requirements, and treatment control BMPs will not be necessary. However, when site design and source control BMPs are not adequate, treatment control BMP(s) will be necessary. Treatment control BMPs should be selected from the matrix in Table 3 of Attachment 3 as guidance to determine the removal efficiency of the BMP for the pollutants of concern for that project. Treatment control BMPs that maximize pollutant removal for the identified primary pollutants of concern should receive priority for BMP selection, followed by BMPs that maximize pollutant removal for all other pollutants of concern identified for the project. The most effective combination of BMPs for polluted~~

~~runoff control that results in the most efficient reduction of pollutants should be implemented. In the event that the implementation of a BMP listed in the matrix in Table 3 of Attachment 3 is determined to be infeasible on the project site, the implementation of other treatment-control BMP(s) that will achieve the equivalent reduction of pollutants will be required.~~

~~Where treatment controls are required, the BMPs (or suites of BMPs) shall be designed to infiltrate and/or treat the amount of stormwater runoff as follows:~~

- ~~1. For volume-based BMPs, the amount of storm water runoff produced by the eighty-fifth percentile, 24-hour storm event, based on local rainfall data.~~
- ~~2. For flow-based BMPs, two times the amount of storm water runoff produced by the eighty-fifth percentile, one-hour storm event, based on local rainfall data.~~
- ~~3. Limited Exclusion: Restaurants and retail gasoline outlets where the land area for development or redevelopment is less than 5,000 square feet are excluded from these volume- and flow-based numerical treatment-control BMP design standards.~~

~~The term "treatment" includes physical, biological and chemical processes such as filtration, the use of bioswales, detention and retention ponds and adsorption media. The actual type of treatment should be suited to the pollutants generated by the development as indicated in Table 1 of Attachment 3.~~

~~Descriptions of commonly used treatment-control BMPs are contained in Attachment 2. Detailed design information for treatment-control BMPs, and examples, can be found in Sections 2 through 5 of the CASQA Handbook, and in Appendices C through E of the Santa Barbara Manual, both of which are described in Section 6.0 of this Manual.~~

~~At its discretion and for good cause, the City may waive one or more of the requirements pertaining to treatment-control BMPs if impracticability for a specific property can be established. A waiver of impracticability will be granted only when all other treatment-control BMPs have been considered and rejected as infeasible. Recognized Potential situations of impracticability may include, (i) extreme limitations of space for treatment on a project site, (ii) unfavorable or unstable soil conditions making a site unsuitable for infiltration, and (iii) risk of ground-water contamination because a known unconfined aquifer lies beneath the land surface or an existing or potential underground source of drinking water is less than 10 feet from the soil surface. A waiver may be revoked for cause and with proper notice. A waiver of requirements may be subject to prior approval by the RWQCB, depending on the type of requirement being waived.~~

## ~~2.2 Waterecourse Protection~~

~~Waterecourses located on private property are required to be kept free of trash, debris, excessive vegetation, stagnant pools of water and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the waterecourse to the extent required by the City. Healthy bank vegetation should not be removed beyond that actually necessary for maintenance, nor should such vegetation be removed in a manner which increases the vulnerability of the waterecourse to erosion. The property owner is responsible for maintaining and stabilizing that portion of the waterecourse that is within their property lines to protect against erosion and degradation of the waterecourse on-site and downstream. Property owners shall select "Soft Engineered" techniques when possible for maintaining and stabilizing stream banks. (§17.42.020).~~

## ~~2.3 Landscaping Requirements~~

~~In order to protect and enhance the City's urbanized forest and landscaped amenities, to protect environmentally sensitive habitat areas from degradation, to provide for the restoration~~

~~of native vegetation, and to promote water conservation the following landscaping requirements will be imposed on new development and redevelopment projects. (§17.34.010)~~

~~These requirements apply to all new development or substantial alteration of existing development proposed on private property anywhere in the City. (§17.34.020)~~

### ~~2.3.1 Plantings:~~

#### ~~2.3.1.1 All Sites (§17.34.060):~~

~~1. In order to reduce the potential for irrigation run-off that could contribute to storm water pollution, a minimum of 75 percent of new plant materials on the project site shall be native plants and/or noninvasive drought tolerant plants as determined by the City Forester.~~

~~2. All plants within landscaped areas on any public right of way adjacent to private property shall be drought tolerant and low water use predominantly native species as determined by the City Forester.~~

~~3. A minimum of 75 percent of new plant materials in all open space areas on project sites in the commercial, R-4, and R-1 districts shall be planted with drought tolerant and low water use species as determined by the City Forester.~~

#### ~~2.3.1.2 Residential Sites (§17.34.070):~~

~~1. All properties located in the R-1 or R-4 district shall contribute to the urbanized forest or other vegetation characteristic of the neighborhood by harboring an appropriate mix of upper and lower canopy trees and/or shrubs consistent with the neighborhood context and the neighborhood streetscape.~~

~~2. Landscaping in public rights of way in the R-1 district shall be limited to native, drought tolerant plants.~~

#### ~~2.3.1.3 Commercial Sites (§17.34.080):~~

~~1. In all commercial districts a minimum of 50 percent of the required open space on the project site shall be landscaped. The combined total area of nonliving materials such as garden benches, water features and patterned paving treatments shall not comprise more than 25 percent of the required landscaping on the site. All landscaping improvements shall include upper canopy trees on site and/or in the sidewalk in front of the property whenever possible.~~

~~2. Building sites incorporating surface parking lots shall include at least 15 percent of the site area in landscaping. To help reduce runoff into the City's storm drainage system, landscaping shall be distributed along all street frontages and pedestrian walkways that are adjacent to parking areas. Landscaping shall also be provided within the interior of surface lots to break up large expanses of paving. Parking lots with four or more vehicles shall provide interior landscaping of at least 10 square feet per vehicle.~~

### ~~2.3.2 Materials of Construction (§17.34.060):~~

~~1. Use of materials that allow for percolation of rain into the soil and reduce water run-off is encouraged.~~

~~2. Paved areas shall be designed to be small, and large continuous areas of paving shall be avoided. Paved areas shall include design features such as sand set paving and/or drainage collection and distribution systems that enhance surface water percolation.~~

~~3. Landscaping plans for projects in any zoning district shall, where feasible, include the use of water retention storage devices such as cisterns or underground bladders to capture precipitation or surface runoff for landscape maintenance purposes or detention basins or berms to retain water on site for natural percolation into the soil.~~

#### ~~2.4 Impermeable Site Coverage (§17.10.030)~~

~~These requirements apply to all new development, or substantial alteration of existing development, proposed on private property anywhere in the City.~~

~~1. Impermeable site coverage, which is defined in Chapter 17.70 of the City's Municipal Code to mean a surface artificially constructed so as to prevent or largely inhibit the infiltration of rainwater or runoff into the natural soils or underlying geologic materials as defined in Section 1.5, shall be limited to a maximum of 22% of the base floor area allowed for the site. Allowable base floor areas for typical lot sizes are contained in Table 17.10 D of the CMC. For a typical 4,000 square foot site the maximum allowable impermeable site coverage equals 396 square feet or approximately 10% of the site.~~

~~2. If at least 50 percent of all site coverage on the property is made of permeable or semi-permeable materials, an additional amount of site coverage of up to 4% of the site area may be allowed for use in a single driveway of up to nine feet in width.~~

#### ~~2.5 Site Design~~

~~All projects shall be designed with the objectives of minimizing the introduction of pollutants that may result in water quality impacts, and controlling post development peak runoff rates and average volumes to maintain or reduce pre-development downstream erosion rates. (§17.43.010)~~

~~All development shall be evaluated for potential adverse impacts to water quality, and the applicant is to consider site design, source control, and treatment control BMPs in order to minimize polluted runoff and water quality impacts resulting from the development. In order to maximize the reduction of water quality impacts, BMPs should be incorporated into the project design in the following progression: (1) Site design BMPs, (2) Source control BMPs, and (3) Treatment control BMPs. (§17.43.060).~~

##### ~~2.5.1 Performance Requirements (RWQCB Post Construction Requirements)~~

~~The RWQCB's Post Construction Requirements pertain to both residential and commercial types of Regulated Projects (as defined in Section 1.5). Note that some of the requirements in this Section 2.5.1 overlap with requirements in Sections 2.5.2, 2.5.3 and/or 2.5.4.~~

~~Because of the relatively small lot sizes in the City, it is expected that the majority of projects will not be subject to the RWQCB's Post Construction Requirements, and that only a small number of projects will be subject to Performance Requirement No. 1, which is described below.~~

~~Any project other than a detached single family home having a Net Impervious Area (as defined in Section 1.5)  $\geq$  5,000 square feet, or a detached single family home project having a Net Impervious Area  $\geq$  15,000 square feet, will be subject to the more complex requirements of Performance Requirement No. 2: Water Quality Treatment. Performance Requirement No. 2 is described in Attachment 5.~~

~~Projects having a Net Impervious Area  $\geq$  15,000 square feet, and which are not detached single family home projects, as well as single family residences  $\geq$  15,000 square feet in WMZs 1, 2, 5, 6, 8, and 9, and those portions of WMZs 4, 7, and 10 that overlie designated Groundwater Basins; and all Regulated Projects over 22,500 square feet of impervious surface~~

~~area in WMZs 1, 2, 3, 6, and 9 will be subject to additional requirements as described in Attachment 5.~~

~~Performance Requirement No. 1: Site Design and Runoff Reduction:~~

~~All Regulated Projects that create and/or replace  $\geq 2,500$  square feet of impervious surface (collectively over the entire project site), including detached single-family home projects, are required to implement at least the following design strategies:~~

- ~~1. Limit disturbance of creeks and natural drainage features~~
- ~~2. Minimize compaction of highly permeable soils~~
- ~~3. Limit clearing and grading of native vegetation at the site to the minimum area needed to build the project, allow access, and provide fire protection~~
- ~~4. Minimize impervious surfaces by concentrating improvements on the least sensitive portions of the site, while leaving the remaining land in a natural undisturbed state~~
- ~~5. Minimize stormwater runoff by implementing one or more of the following site design measures:~~
- ~~6. Direct roof runoff into cisterns or rain barrels for reuse~~
- ~~7. Direct roof runoff onto vegetated areas safely away from building foundations and footings, consistent with California building code~~
- ~~8. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas safely away from building foundations and footings, consistent with California building code~~
- ~~9. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas safely away from building foundations and footings, consistent with California building code~~
- ~~10. Construct bike lanes, driveways, uncovered parking lots, sidewalks, walkways, and patios with permeable surfaces~~
- ~~11. The Permittee shall confirm that projects comply with Site Design and Runoff Reduction Performance Requirements by means of appropriate documentation (e.g., check lists) accompanying applications for project approval.~~

~~2.5.2 Development on Steep Slopes (§17.43.060)~~

~~In addition to the requirements in Section 2.5, project designs shall incorporate soil stabilization and infiltration practices during the construction of roads, bridges, culverts and outfalls to prevent stream bank or hillside erosion. Project plans must include the following BMPs to decrease the potential of slopes and/or channels from eroding and impacting stormwater runoff:~~

- ~~1. Convey runoff safely from the tops of slopes and stabilize disturbed slopes.~~
- ~~2. Utilize existing natural drainage systems to the maximum extent feasible.~~
- ~~3. Control and minimize excess flow to natural drainage systems to the maximum extent feasible.~~
- ~~4. Stabilize permanent channel crossings using “soft engineering” practices when possible.~~
- ~~5. Vegetate slopes with native or drought-tolerant vegetation.~~

~~6. Additional measures to prevent downstream erosion, such as cisterns, infiltration pits and/or contour drainage outlets that disperse water back to sheet flow, should be implemented for projects discharging onto slopes greater than 10%.~~

### ~~2.5.3 Residential Projects~~

~~For residential projects, in addition to the applicable requirements in Section 2.5, 17.43.080, and described elsewhere within this Manual, the following additional LID principles are to be incorporated into the design of all residential projects, as appropriate:~~

#### ~~2.5.3.1 Small Residential Projects~~

~~For small residential projects that must only go through a ministerial review process and conform to the site zoning requirements, such as either a new single family unit or minor modifications to an existing single family unit or a single structure, LID objectives are to be accomplished by applying the following principles to the design (§17.43.080 and BGS):~~

- ~~1. Use low maintenance drought tolerant landscaping that does not require frequent fertilizer, pesticide and herbicide application.~~
- ~~2. Label all storm drain inlets and catch basins within the project area with prohibitive language (such as: "NO DUMPING—DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.~~
- ~~3. Minimize areas that are directly connected to the City's storm drainage system by directing roof gutters and other impervious areas to landscaped areas where possible. Roof drains may be eliminated only in one to two story buildings in residential and some commercial areas. Where these cannot be eliminated, direct the downspout of the gutter to landscaped areas or into an infiltration trench. Install several gutters to distribute the flow.~~
- ~~4. Minimize impervious areas and increase rainfall infiltration by using alternate paving materials (pavers), landscaping, mulch, gravel and cobbles where appropriate to provide ground cover, and reduce the use of asphalt or other impervious pavement. Pavers are recommended for driveways, walkways, and patios in single family residences if Americans with Disabilities Act (ADA) requirements do not have to be met.~~

#### ~~2.5.3.2 Large Residential Projects~~

~~For large residential projects that must go through a discretionary design review process and which typically require a use permit or a subdivision map, LID objectives are to be accomplished by applying the following principles to the design (§17.43.010 and BGS):~~

- ~~1. Maintain and use existing natural drainage courses and vegetation by not filling in the natural drainage features at the site, preserving riparian areas and wetlands, maintaining invert/streambeds to maximize capacity, and providing vegetated setbacks or buffer strips outside of the maximum water surface level.~~
- ~~2. Conserve natural resources and areas by clustering development on the least environmentally sensitive portions of a site while leaving the remaining land in a natural, undisturbed condition.~~
- ~~3. Protect slopes and channels from eroding and impacting storm water runoff by:~~
  - ~~i. Conveying runoff safely from the tops of slopes and stabilizing disturbed slopes.~~
  - ~~ii. Utilizing natural drainage systems to the maximum extent practicable.~~
  - ~~iii. Stabilizing permanent channel crossings.~~

- ~~iv. Vegetating slopes with native or drought tolerant vegetation, as appropriate.~~
- ~~v. Installing energy dissipaters, such as riprap, at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels~~
- ~~4. Minimize the amount of directly connected impervious surface and total area of impervious surface.~~
- ~~5. Minimize the length of driveways and avoid installing curb and gutter along driveways and streets where appropriate, so that runoff from these areas can flow into adjacent landscaped or other permeable areas.~~
- ~~6. In low traffic areas, reduce sidewalk widths as much as possible while still being in compliance with ADA requirements.~~
- ~~7. Incorporate or connect to existing on-site retention and infiltration measures.~~
- ~~8. Direct rooftop runoff to permeable areas rather than driveways or impervious surfaces to reduce the amount of stormwater leaving the site.~~
- ~~9. Minimize clearing and grading, and set aside open space to the extent feasible.~~
- ~~10. Use alternate paving materials (e.g., porous asphalt, pervious concrete, and pavers), landscaping, mulch, gravel and cobbles where appropriate to provide ground cover, and reduce the use of asphalt or other impervious pavement. Pavers are recommended for driveways, walkways, and patios in single family residences if ADA requirements do not have to be met. In non-residential areas, pavers are recommended for emergency access roads, overflow parking areas, and non handicapped parking stalls, keeping in mind that some types of alternate paving materials may not be suitable where heavy loads such as trucks.~~
- ~~11. In new residential areas reduce street width by eliminating on-street parking (where such actions do not pose a safety hazard). In addition to reducing the impervious area, this control has the added benefit of removing cars from streets and making street sweeping easier and more effective. If on-street parking in residential areas is eliminated, the developer must provide adequate off-street visitor parking.~~
- ~~12. If alleys are included in a proposed development, width should be minimized or alternate paving materials should be used.~~
- ~~13. Provide green areas in new residential developments where people can walk their pets and keep pet excrement away from sidewalks and streets where it may contribute to storm water pollution.~~
- ~~14. Install landscaping or other cover materials to minimize erosion from graded surfaces. Promote the use of natural vegetation by using parking lot islands and other landscaped areas. Use of native plant materials is recommended because native plants require less maintenance and irrigation. Since native plants take longer to cover slopes, during the first few years supplemental protection (erosion blanket, mulch, etc.) may be necessary.~~
- ~~15. Use low-maintenance landscaping that does not require frequent fertilizer, pesticide and herbicide application.~~
- ~~16. Label all storm drain inlets and catch basins within the project area with prohibitive language (such as: "NO DUMPING—DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping. Legibility of stencils and signs must be maintained.~~
- ~~17. Where possible, eliminate gutters/roof drains or direct runoff to landscaped areas. Roof drains can be eliminated only in one to two-story buildings. Where these cannot be~~



~~eliminated, direct the downspout of the gutter to landscaped areas or into an infiltration trench. Install several gutters to distribute the flow.~~

~~18. In new residential developments involving more than 50 units, construct a designated vehicle wash area so that the runoff from vehicle washing can be properly treated and/or disposed. Contact the local wastewater authority to determine if the discharge can be plumbed to the sanitary sewer. If not, provide appropriate treatment and disposal of this runoff.~~

~~19. Grade and pave outdoor waste receptacle areas to prevent run-on of storm water, and install a low containment berm around it. Alternately, construct a covered enclosure with wash-down capabilities plumbed into the sanitary sewer, after first contacting the local wastewater authority to verify that this practice will be acceptable.~~

#### ~~2.5.4 Commercial Projects~~

~~For commercial projects, in addition to the applicable requirements in Section 2.5 and described elsewhere within this Manual, the following LID principles are to be incorporated into the design of all commercial projects, as appropriate (§17.43.070 and BGS):~~

##### ~~2.5.4.1 Commercial Developments—General Requirements~~

###### ~~2.5.4.1.1 Loading/Unloading Dock Areas~~

- ~~1. Shall be covered or designed to minimize run-on and runoff of stormwater.~~
- ~~2. Shall have no direct connections to storm drains from depressed loading docks (truck wells).~~
- ~~3. Should have valve(s) on storm drain inlets receiving runoff from non-depressed loading docks to control runoff in the event of spills.~~

###### ~~2.5.4.1.2 Vehicle/Equipment Washing/Steam-Cleaning Areas~~

- ~~1. Shall be self-contained and/or covered.~~
- ~~2. Shall be equipped with a clarifier or other pretreatment facility.~~
- ~~3. Shall be properly connected to a sanitary sewer.~~

###### ~~2.5.4.1.3 Parking Areas and Parking Lots~~

- ~~1. Shall be designed to minimize impervious surface land coverage.~~
- ~~2. Shall be designed to infiltrate runoff as much as feasible before it reaches the storm drain system.~~
- ~~3. Parking lots that are heavily used, e.g. lots with 25 or more parking spaces, performing arts parking lots, shopping malls, or grocery stores shall have treatment controls installed to treat any remaining runoff before it reaches the storm drain system. The treatment controls shall be designed to remove oil and petroleum hydrocarbons, and shall be operated and maintained to ensure that sludge and oil is removed at a frequency that will prevent the treatment controls from fouling or plugging.~~
- ~~4. If feasible, build underground or multi-story parking structures so that not only is impervious surface minimized but the parking surfaces are under a roof and not exposed to storm water.~~

~~5. Where possible use cooperative or shared parking. This may be a cooperative effort between commercial entities or between commercial entities and the City.~~

~~2.5.4.1.4 Outdoor Material Storage Areas (areas or facilities used solely for the storage of materials)~~

~~1. Shall be designed to prevent stormwater contamination from stored materials.~~

~~2. Where outdoor areas for storage of materials are included that may contribute pollutants to the stormwater conveyance system, those materials shall be placed in an enclosure such as a cabinet, shed or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system, or shall be protected by secondary containment structures such as berms, dikes or curbs.~~

~~3. Shall be paved and sufficiently impervious to contain leaks and spills.~~

~~4. Shall have a roof or awning to minimize collection of stormwater within the secondary containment area.~~

~~2.5.4.1.5 Trash Storage Areas (areas where a trash receptacle or receptacles are located for use as a repository for solid wastes):~~

~~1. Shall be designed to prevent stormwater contamination by loose trash and debris.~~

~~2. Shall have drainage from adjoining roofs and pavement diverted around the area(s).~~

~~3. Shall be screened or walled to prevent off site transport of trash.~~

~~2.5.4.2 Restaurants—Additional Specific Requirements~~

~~1. Shall be designed to minimize runoff of oil and grease, solvents, phosphates, and suspended solids to the storm drain system.~~

~~2. Shall include an area for the washing/steam cleaning of equipment and accessories and which is self-contained, equipped with a grease trap, and properly connected to a sanitary sewer. If the wash area is to be located outdoors, it must be covered, paved, and have secondary containment which is connected to the sanitary sewer.~~

~~2.5.4.3 Retail Gasoline Outlets and Automotive Repair Facilities—Additional Specific Requirements~~

~~2.5.4.3.1 Fuel Dispensing Area~~

~~1. Shall be covered with an overhanging roof structure or canopy. The canopy's minimum dimensions must be equal to or greater than the area within the grade break. The canopy must not drain onto the fuel dispensing area, and the canopy downspouts must be routed to prevent drainage across the fueling area. As an alternative, the site must be served by an oil/water separator or other source or treatment control BMPs that will achieve equivalent mitigation.~~

~~2. Shall be paved with Portland cement concrete (or equivalent smooth impervious surface). The use of asphalt concrete is not allowable.~~

~~3. Shall have a 2% to 4% slope to prevent ponding, and must be separated from the rest of the site by a grade break that prevents run-on of stormwater to the extent practicable.~~

~~4. Shall at a minimum extend 6.5 feet (2.0 meters) from the corner of each fuel dispenser, or the length at which the hose and nozzle assembly may be operated plus one foot (0.3 meter), whichever is less.~~

#### ~~2.5.4.3.2 Repair/Maintenance Bays~~

- ~~1. Shall be indoors or designed in such a way that does not allow stormwater runoff or contact with stormwater runoff.~~
- ~~2. Shall have drainage systems designed to capture all wash water, leaks, and spills.~~
- ~~3. Shall have drains connected to a sump for collection and disposal.~~
- ~~4. Shall have no direct connections to the storm drain system.~~
- ~~5. Shall be covered by a State issued Industrial Waste Discharge Permit, if so required by the RWQCB.~~

#### ~~3.0 EROSION AND DRAINAGE CONTROL PLANS (§17.43.030)~~

~~An Erosion and Drainage Control Plan (EDCP) to minimize during and post construction polluted runoff containing the following information shall be included in the submitted design plans for new development that (a) increases site coverage by more than five percent of the site area, or (b) involves grading that will affect drainage patterns on or off the site, or (c) involves either a rebuild or construction of a new building:~~

- ~~1. Site design and source control BMPs that will be implemented to minimize post construction polluted runoff, including details regarding how the project will use these BMPs to minimize adverse effects of the project on water quality.~~
- ~~2. Drainage improvements (e.g., locations of infiltration basins).~~
- ~~3. Potential flow paths where erosion may occur after construction.~~
- ~~4. Methods to accommodate on site percolation, revegetation of disturbed portions of the site, address on site and/or off site impacts and construction of any necessary improvements.~~
- ~~5. Storm drain pollution prevention measures including all construction elements and BMPs to address the following goals in connection with both construction and long term operation of the site:~~
  - ~~1) Maximize on site retention and infiltration measures including directing rooftop runoff to permeable areas rather than driveways.~~
  - ~~2) Maximize, to the extent practicable, the percentage of permeable surfaces and limit impervious areas that are directly connected to the City's storm drainage system in order to allow more percolation of runoff into the ground.~~

#### ~~4.0 WATER QUALITY MITIGATION PLANS (§17.43.030 AND BGS)~~

~~A Water Quality Mitigation Plan (WQMP) is required for any project which requires an EDCP and which either:~~

- ~~(1) Fails to adequately address water quality impacts using appropriate site design and source control measures, or~~
- ~~(2) Is in one of the following categories of development:~~
  - ~~1. Single Family Hillside Residences. Hillside means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is twenty five percent or greater.~~

~~2. Industrial/Commercial Developments.~~

~~3. Automotive Repair Shops.~~

~~4. Retail Gasoline Outlets.~~

~~5. Restaurants.~~

~~6. Home Subdivisions with 10 or more housing units~~

~~7. Parking lots 5,000 square feet or more of impervious surface area or with 25 or more parking spaces and potentially exposed to storm water runoff~~

~~8. Projects that discharge to an Environmentally Sensitive Area (ESA) or coastal water. Such projects are defined as being all development and redevelopment located within or directly adjacent to or discharging directly to an environmentally sensitive area (where discharges from the development or redevelopment will enter receiving waters within the environmentally sensitive area). "Directly adjacent" means situated within 200 feet of the environmentally sensitive area. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.~~

~~In addition to the site design and source control BMPs being provided in the project, the WQMP shall include treatment control BMPs identified in Table 3 of Attachment 3 to minimize post construction runoff of the types of pollutants listed in Table 1 of Attachment 3, which are characteristic of this type of project. The WQMP shall also include an operation and maintenance plan for these treatment control BMPs.~~

~~The WQMP shall be certified by a California Registered Civil Engineer or Licensed Architect approved by the City, and shall include the following information:~~

~~1. Site design, source control and treatment control BMPs that will be implemented to minimize post construction polluted runoff.~~

~~2. Pre-development peak runoff rate and average volume.~~

~~3. Drainage improvements (e.g., locations of diversions/conveyances for upstream runoff).~~

~~4. Potential flow paths where erosion may occur after construction.~~

~~5. Methods to accommodate on-site percolation, revegetation of disturbed portions of the site, address on-site and/or off-site impacts, and construction of any necessary improvements.~~

~~6. Measures to treat, infiltrate, and/or filter runoff from impervious surfaces (e.g., roads, driveways, parking structures, building pads, roofs, patios, etc.) on the subject parcel(s) and to discharge the runoff in a manner that avoids erosion on or downslope of the subject parcel, the need for upgrades to the City's storm drainage system, discharge of pollutants (e.g., oil, heavy metals, toxics) to coastal waters, or other potentially adverse impacts. Such measures may include, but are not limited to, the use of structures (alone or in combination) such as biofilters and grasses waterways, on-site desilting basins, detention ponds, dry wells, etc.~~

~~7. Where treatment controls are required, information describing how the BMPs (or suites of BMPs) have been designed to infiltrate and/or treat the amount of stormwater runoff produced by all storms as described in Section 2.1.2 of this Manual. The actual type of treatment should be linked to the pollutants generated by the development as indicated in Table 1 of Attachment 3.~~

~~8. A long term plan and schedule for the monitoring and maintenance of all drainage control devices. All treatment control BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30th of each year. Owners of these devices will be responsible for insuring that they continue to function properly, and additional inspections should occur after storms as needed throughout the rainy season. Repairs, modifications, or installation of additional BMPs, as needed, should be carried out prior to the next rainy season. The City will determine if the treatment control BMPs require monitoring, and if so, the City must approve the monitoring program.~~

#### ~~5.0 ONGOING MAINTENANCE OF TREATMENT CONTROL BMPS (§17.43.040 AND BGS)~~

~~If a project is required to include treatment control BMPs, the applicant will be required to provide verification of maintenance provisions for these BMPs through such means as may be appropriate, including, but not limited to legal agreements, covenants, CEQA mitigation requirements and/or Conditional Use Permits. Verification at a minimum shall include the developer's signed statement accepting responsibility for maintenance until the responsibility is legally transferred and either:~~

- ~~1. A signed statement from the public entity assuming responsibility for structural and treatment control BMP maintenance and that it meets all local agency design standards; or~~
- ~~2. Written conditions in the sales or lease agreement, which require the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year; or~~
- ~~3. Written text in project conditions, covenants, and restrictions (CCRs) for residential properties assigning maintenance responsibilities to the home owners association for maintenance of the structural and treatment control BMPs; or~~
- ~~4. Any other legally enforceable agreement acceptable to the City that assigns responsibility for the maintenance of post construction structural and treatment control BMPs.~~

~~A sample form of Agreement to accomplish these objectives is contained in Attachment 4.~~

~~Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information will also be required with any subsequent sale of the property.~~

#### ~~6.0 SOURCES OF ADDITIONAL INFORMATION~~

~~Two excellent sources of additional information on many of the site design, source control, and treatment control topics and concepts discussed in this Manual are the California Stormwater Quality Association (CASQA) "New Development and Redevelopment Handbook," dated 2003, and the "City of Santa Barbara Storm Water BMP Guidance Manual (Technical Guidance Manual for Post-Construction Storm Water Management)," dated June 2008.~~

~~The CASQA document may be viewed and downloaded at the following website:~~

~~<http://www.cabmphandbooks.com>~~

~~The Santa Barbara document may be viewed and downloaded at the following website:~~

~~[http://www.santabarbaraca.gov/Resident/Community/Creeks/Low\\_Impact\\_Development.htm](http://www.santabarbaraca.gov/Resident/Community/Creeks/Low_Impact_Development.htm)~~

~~The BGS also contains a listing of reference documents on many of these same topics, but those may or may not be accessible via the internet.~~

~~The Monterey Stormwater Education Alliance website at <http://www.montereysea.org> also contains links to numerous sites with information on these topics.~~

#### ~~ATTACHMENT 4~~

#### ~~BMP Implementation Tracking Form~~

#### ~~BMP IMPLEMENTATION TRACKING FORM~~

~~The following are a list of BMPs that may be used to minimize or prevent the introduction of pollutants of concern that may result in significant impacts to receiving waters. Other BMPs that are equally or more effective in pollutant reduction than the comparable BMPs listed below may also be acceptable, if approved by the City. All BMPs must comply with local zoning and building codes and other applicable regulations.~~

~~In order to facilitate the design review and permitting process, when the application for the project is submitted to the City it should include a copy of this form with the Project Information filled in and the applicable check boxes marked to indicate which of these BMPs have been incorporated into the design of the project. The locations of these BMPs should also be shown on the site plan for the project.~~

#### ~~Project Information~~

~~Owners Name: \_\_\_\_\_~~

~~Blk/Lot/APN: \_\_\_\_\_~~

~~Address: \_\_\_\_\_~~

~~Project Type (see Sections 2.5.2.3 and 2.5.3.4 of this Manual for Project Type descriptions):~~

~~""Small Residential      ""Large Residential~~

~~If either of the above boxes is checked, the project will be subject to the Residential Project requirements described in Section 2.5.3.~~

~~"" Commercial (describe type of business): \_\_\_\_\_~~

~~If this box is checked, the project will be subject to the Commercial Project requirements described in Section 2.5.4.~~

~~1.5 The project will create and/or replace  $\geq 2,500$  square feet of impervious surface (collectively over the entire project site), including detached single family home projects. If this box is checked the project will be subject to Performance Requirement No. 1 as described in Section 2.5.1.~~

~~$\geq$  The project is not a detached single family home but has a Net Impervious Area (as defined in Section 1.5)  $\geq 5,000$  square feet, or is a detached single family home project and has a Net Impervious Area  $\geq 15,000$  square feet. If this box is checked it will be subject to the more complex requirements of Performance Requirement No. 2: Water Quality Treatment described in Attachment 5.~~

~~1.6 The project has a Net Impervious Area  $\geq 15,000$  square feet, and is not a detached single family home. If this box is checked the project will be subject to additional requirements, and~~

~~the applicant should meet with City staff to discuss and determine what those requirements will be.~~

~~1.7 Some part of the project site has a natural slope that is 25% or greater. If this box is checked the project will be subject to additional requirements for development on steep slopes as described in Section 2.5.2.~~

#### Site Design BMPs

##### Minimize Impervious Areas

~~≥ Reduce sidewalk widths where it is practicable~~

~~≥ Incorporate landscaped buffer areas between sidewalks and streets~~

~~≥ Design residential streets for the minimum required pavement widths~~

~~≥ Minimize the number of residential street-cul-de-sacs and incorporate landscaped areas to reduce their impervious cover.~~

~~≥ Use open space development that incorporates smaller lot sizes~~

~~≥ Increase building density while decreasing the building footprint~~

~~≥ Reduce overall lot imperviousness by promoting alternative driveway surfaces and shared driveways that connect two or more homes together~~

~~≥ Reduce overall imperviousness associated with parking lots by providing compact car spaces, minimizing stall dimensions, incorporating efficient parking lanes, and using pervious materials in spillover parking areas~~

##### Increase Rainfall Infiltration

~~≥ Use permeable materials for private sidewalks, driveways, parking lots, and interior roadway surfaces (examples: hybrid lots, parking groves, permeable overflow parking, etc.)~~

~~≥ Direct rooftop runoff to pervious areas such as yards, open channels, or vegetated areas, and avoid routing rooftop runoff to the roadway or the urban runoff conveyance system~~

~~Maximize Rainfall Interception~~

~~≥ Maximize canopy interception and water conservation by preserving existing native trees and shrubs and planting additional native or drought tolerant trees and large shrubs~~

~~Minimize Directly Connected Impervious Areas (DCIAs)~~

~~≥ Draining rooftops into adjacent landscaping prior to discharging to the storm drain~~

~~≥ Draining parking lots into landscape areas co-designed as biofiltration areas~~

~~≥ Draining roads, sidewalks, and impervious trails into adjacent landscaping~~

~~Slope and Channel Protection~~

~~≥ Use of existing natural drainage systems to the maximum extent feasible~~

~~≥ Stabilizing permanent channel crossings~~

~~≥ Planting native or drought tolerant vegetation on slopes~~

~~≥ Using energy dissipaters, such as riprap, at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels~~

~~Maximize Rainfall Interception~~

~~≥ Cisterns                      ≥ Foundation planting~~

~~Increase Rainfall Infiltration~~

~~≥ Dry wells~~

~~Source Control BMPs~~

~~≥ Storm drain system stenciling and signage~~

~~≥ Regular street and parking lot sweeping~~

~~≥ Outdoor material and trash storage area designed to reduce or control rainfall runoff~~

~~≥ Efficient irrigation system~~



~~Treatment Control BMPs~~

~~Biofilters~~

- ~~≥ Grassy swale~~      ~~≥ Grass strip~~
- ~~≥ Wetland-vegetation swale~~      ~~≥ Bioretention~~

~~Detention Basins~~

- ~~≥ Extended/dry detention basin with grass lining~~
- ~~≥ Extended/dry detention basin with impervious lining~~

~~Infiltration Basins~~

- ~~≥ Infiltration basin~~      ~~≥ Infiltration trench~~      ~~≥ Porous asphalt~~
- ~~≥ Porous concrete~~      ~~≥ Porous modular concrete block~~      ~~-~~

~~Wet Ponds and Wetlands~~

- ~~— Wet pond (permanent pool)~~      ~~— Constructed wetland~~

~~Drainage Inserts~~

- ~~— Oil/Water separator~~      ~~— Catch basin insert~~
- ~~— Storm drain inserts~~      ~~— Catch basin screens~~

~~Filtration Systems~~

- ~~— Media filtration~~      ~~— Sand filtration~~

~~Hydrodynamic Separation Systems~~

- ~~— Swirl Concentrator~~      ~~— Cyclone Separator~~

~~ATTACHMENT 2~~

### ~~Descriptions of Treatment Control BMPs~~

#### ~~Source: Best Management Practices Guidance Series (BGS)~~

~~The BMPs described below are treatment control BMPs that can be built at new development and redevelopment sites to capture and treat the polluted runoff before it enters the City's storm drain system or other receiving waters. Many of these are included in Table 3 of Attachment 3. When site design and source control BMPs alone are inadequate to fulfill the City's storm water pollution prevention requirements for a proposed project, treatment control BMPs which are feasible for the proposed development should be incorporated into its design.~~

~~Treatment controls must be designed such that volumes and flows in excess of the design rainfall event bypass the unit, otherwise there is the possibility of aggravating flooding and also causing resuspension of previously captured sediments or other constituents. Also, all of the treatment BMPs described below require some inspection, maintenance, and disposal of solids to ensure optimum performance and often to avoid flooding.~~

~~1. Rooftop Catchment Systems—These are rooftops which can sometimes be designed into large commercial and industrial sites to pool stormwater which, following the storm, evaporates. This effectively eliminates rooftop runoff from the storm drain system, and thereby reduces the hydraulically connected impervious area. Another function of these systems is to slow down the runoff to reduce peaks. Problems with rooftop catchment systems are mainly related to leakage.~~

~~2. Vegetated Filter Strips—Vegetated filter strips, buffer strips, or riparian buffer zones are strips of vegetation placed between receiving waters (e.g., along streams) and pollutant sources. The effectiveness of the strips depends primarily on the width of the strip, and the vegetation type and condition. Strips of 100-300 feet in width are often considered. Such strips have been successfully applied to urban, agricultural, and forestry situations. Vegetation type selection must take into account the climate and usually should be drought resistant. Maintenance is primarily annual cutting. Such strips are recommended for developments located along receiving waters such as streams, rivers and lakes, but outside the flood control boundary.~~

~~3. Vegetated Swales—Swales are shallow low gradient channels that are vegetated. They are commonly applied in rural residential areas in lieu of traditional curb/gutters and underground stormwater drainage pipes. Water quality improvement is achieved primarily through filtration, and performance is dependent on the swale hydraulic capacity and vegetation type and condition. Influent water should be relatively free of coarse sediment to avoid burying the vegetation. Where sediment loads are of concern, sediment settling basins can be provided upstream of the swales. Maintenance consists primarily of vegetation management and settling basin cleanouts. Swales are generally recommended for low density residential developments located in relatively flat terrain.~~

~~4. Infiltration Basins—Infiltration basins store and infiltrate stormwater into the surficial groundwater aquifer. Performance is critically dependent on soil porosity and adequate depth to groundwater. Such conditions are typical of inland valleys, in contrast to low lying coastal areas. In order to maintain recharge rates, influent water may require pretreatment to remove sediments. Infiltration basins are effective at reducing runoff rates and volumes and can provide water supply benefits through aquifer recharge. Maintenance primarily consists of periodic removal of accumulated trash, debris and sediments to maintain recharge rates. Infiltration basins are generally recommended in areas where the depth to groundwater is relatively high and the soils are highly pervious. Where such conditions exist, this technology is generally applicable to the entire range of urban development, although the potential for groundwater contamination is often of concern in industrial areas.~~

~~5. Infiltration Trenches—Infiltration trenches are shallow drains filled with high porosity materials (e.g. gravel). Stormwater discharged to these trenches is stored during the runoff event and infiltrates into the groundwater during dry weather periods. As with infiltration basins, performance requires porous subsoils and adequate depth to the groundwater table. The acceptability and designs of infiltration trenches must take into consideration the potential for infiltrating water to adversely affect soil strength around foundations. Infiltration trenches are generally not recommended for roof runoff near buildings because of building-code requirements; but can be effective as part of the overall open-channel drainage system.~~

~~6. Dry Detention Ponds/Basins—These are basins designed to temporarily store and treat storm water prior to gradually releasing it downstream. Such basins can provide flood control and storm water treatment benefits. Treatment performance depends on storage volume (12-24 hours of residence time is considered a good rule of thumb), and good circulation (avoidance of short-circuiting). A major factor limiting good performance is that, during larger storm runoff events, water entering a dry basin may resuspend previously settled material in which case the ponds may act as a source of sediment and associated chemicals. In general dry basins are not as effective as wet basins (discussed below), however, in certain arid areas, wet basins are not feasible. Performance of dry basins can be improved by incorporating slow release outlet structures. Such basins are generally applicable to residential, commercial, and industrial development in areas where there is insufficient runoff to maintain wet basins.~~

~~7. Retention Ponds/Wet Basins—These are basins that contain a permanent pool of water. Such ponds can provide flood control, ecological, and water quality benefits. The performance of wet basins depends on the size of the basin, watershed characteristics, and influent conditions. The primary treatment process in retention ponds is settling. Maintenance is required for removing debris, vegetation management, and maintaining the inlet and outlet structures. Accumulation rates in such basins typically require that accumulated sediment be removed about once every 10-20 years. Retention ponds are generally applicable to most urban situations, as long as there is adequate space for the facility and acceptable geological conditions.~~

~~8. Constructed/Restored Wetlands—In addition to providing flood control and water supply benefits through artificial recharge of groundwater, constructed wetlands designed for stormwater management provide water quality benefits through a number of processes including sedimentation, filtration, absorption, biological processes, and nutrient uptake. Pollutant removal performance depends on the size of the wetland relative to the watershed, the design of the wetland, and the type and composition of wetland vegetation. Wetlands also provide additional ecological and recreational benefits. If a significant amount of sedimentation is anticipated, a deep settling basin could be constructed (which the water would enter prior to reaching the wetland). The basin would require periodic maintenance to remove accumulated sediment. Constructed wetlands require maintenance, especially in the first 5-10 years during which vegetation is growing and natural seeding is occurring. Providing suitable hydrologic conditions for vegetation growth and water treatment is key to successful performance of constructed wetlands. Constructed wetlands are generally applicable to most urban situations, as long as there is adequate space for the facility, an adequate source of water, and appropriate soils. In California, such wetlands would likely be seasonal in nature. The cost of urban lands often precludes this type of treatment in the more densely developed portions of urban areas.~~

~~A variation of this control is the use of existing wetlands for urban runoff treatment. Existing wetlands at or downstream of a new development/redevelopment project can be enhanced to improve hydrology, and runoff from the development project can be directed to the wetlands. Note that the dry detention ponds/basins, retention ponds/wet basins, and the constructed wetlands need to be periodically monitored for accumulation of toxic materials, and provisions made for cleanout and disposal pretreatment may be added (to remove heavy~~

~~sediment trash and debris) to reduce maintenance. If a significant amount of sediment is anticipated, a deep settling basin could be constructed. This would also need to be periodically cleaned out to maintain capacity.~~

~~9. Filtration Systems—Filtration systems convey stormwater through filter media (e.g., sand, compost, charcoal) to treat the storm water. The chemicals treated vary depending on the type of media and may include fine sediment, colloidal material, hydrocarbons, organics, nutrients and dissolved metals. Such systems come in many sizes and designs including: (1) inserts placed in individual storm drain inlets, (2) linear units that treat stormwater from small impervious areas such as parking lots, and (3) large 1-2 acre sand filters that treat runoff from urban catchments. Filters are effective as long as the capacity of the filter is not exceeded, and the filter is not allowed to clog. Filter inserts are particularly problematic in this regard, and recent testing and evaluation questions their applicability where material in runoff will clog or block the filter. In stormwater applications filter systems are required to remove blocking materials (leaves, trash, debris, sediments, oil and grease) and storage to better manage flowrates. Experience to date with filter type inserts for drain inlets suggest that the units are easily clogged with sediment and debris, with resultant bypassing of most of the flows. Therefore, inserts are not recommended unless require frequent inspection and cleaning is performed. Filtration systems will have limited application in small well-maintained parking lots.~~

~~10. Oil/Grit Separators—Oil/grit (gravity) separators are usually multi-chambered treatment units that are placed underground and treat stormwater from a drainage catchment. The individual chambers often are designed to trap grit and floatables, and adsorb hydrocarbons. Flows in excess of the design capacity should be diverted around the unit, otherwise there is the possibility that sediment previously trapped in the chambers will be resuspended and flushed downstream. Inspection and maintenance is required to ensure that the units are not filling up with sediment, as accumulation can affect performance. Traditional gravity-oil/water separators that utilize skimming devices and coalescing plates (to increase droplet size and capture) are generally not applicable to stormwater conditions where total hydrocarbon concentrations are generally less than 10 mg/l. The performance of oil/grit separators varies depending on the chosen design. Research should be done before selecting any separators to verify that they will perform as desired. In general, oil/grit separators are useful only at sites where there are chances that oil spills could occur and to a limited degree at development sites that have high oil and grease loadings such as petroleum storage yards and vehicle storage facilities.~~

### ATTACHMENT 3

#### BMP IMPLEMENTATION TABLES

Table 1. Anticipated and Potential Pollutants Generated by Land Use Type

-	General Pollutant Categories								
	Sediments	Nutrients	Heavy-Metals	Organic-Compounds	Trash-and-Debris	Oxygen-Demanding-Substances	Oil-and-Grease	Bacteria-and-Viruses	Pesticides
Detached-Residential-Development	X	X	-	-	X	X	X	X	X
Attached-Residential-Development	X	X	-	-	X	p <sup>(1)</sup>	-p <sup>(2)</sup>	p	X
Commercial-Development->100,000-ft. <sup>2</sup>	p <sup>(4)</sup>	p <sup>(4)</sup>	-	p <sup>(2)</sup>	X	p <sup>(5)</sup>	X	p <sup>(3)</sup>	p <sup>(5)</sup>

-	General Pollutant Categories								
Priority-Project Categories	Sediments	Nutrients	Heavy-Metals	Organic-Compounds	Trash-and-Debris	Oxygen-Demanding-Substances	Oil-and-Grease	Bacteria-and-Viruses	Pesticides
Automotive-Service-Facilities	-	-	X	X <sup>(4)(5)</sup>	X	-	X	-	-
Retail-Gasoline-Outlets	-	-	X	X <sup>(4)(5)</sup>	X	-	X	-	-
Restaurants	-	-	-	-	X	X	X	X	-
Hillside-Development	X	X	-	-	X	X	X	-	X
Parking-Lots	p <sup>(+)</sup>	p <sup>(+)</sup>	X	-	X	p <sup>(+)</sup>	X	-	p <sup>(+)</sup>
Streets,-Highways-and-Freeways	X	p <sup>(+)</sup>	X	X <sup>(4)</sup>	X	p <sup>(5)</sup>	X	-	-

X= anticipated

P= potential

(1) A potential pollutant if landscaping exists on-site

(2) A potential pollutant if the project includes uncovered parking areas

(3) A potential pollutant if land use involves food or animal waste products

(4) Including petroleum hydrocarbons

(5) Including solvents

**Table 2. Site Design and Source Control BMP Selection Matrix**

Specific Areas for Implementation of Site Design and Source Control BMPs									
Priority-Project Categories	Driveways, Roads, and Guest-Parking	Loading/Unloading Dock-Areas	Repair/Maintenance Bays	Vehicle/Equipment Washing/Steam-Cleaning-Areas	Parking Areas	Fueling-Areas -	Outdoor-Material-Storage-Areas	Trash-Storage-Areas	Pools-and-Spas -
Small-Residential-Development	R	-	-	-	-	-	-	-	R
Large-Residential-Development	R	R	-	R	R	-	-	R	R
General-Commercial-Development	R	R	-	R	R	-	R	R	-
Automotive-Service-Facilities	R	R	R	R	R	R	R	R	-
Retail-Gasoline-Outlets	R	R	R	R	R	R	R	R	-
Restaurants	R	R	-	R	R	-	R	R	-

R= Required—minimize pollutants of concern by selecting appropriate site design and source control BMPs

**Table 3. Treatment Control BMP Selection Matrix**

(4)

-	Treatment Control BMP Categories
---	----------------------------------

Pollutant of Concern	Biofilters	Detention-Basins	Infiltration-Basins <sup>(2)</sup>	Wet Ponds or Wetlands	Drainage-Inserts	Filtration	Hydrodynamic Separator-Systems <sup>(3)</sup>
Sediment	M	H	H	H	L	H	M
Nutrients	L	M	M	M	L	M	L
Heavy Metals	M	M	M	H	L	H	L
Organic-Compounds	U	U	U	U	L	M	L
Trash and Debris	L	H	U	U	M	H	M
Oxygen-Demanding-Substances	L	M	M	M	L	M	L
Bacteria	U	U	H	U	L	M	L
Oil and Grease	M	M	U	U	L	H	L
Pesticides	U	U	U	U	L	U	L

(1) The City is encouraged to periodically assess the performance characteristics of many of these BMPs to update this table.

(2) Including trenches and porous pavement

(3) Also known as hydrodynamic devices and baffle boxes

L: Low removal efficiency

M: Medium removal efficiency

H: High removal efficiency

U: Unknown removal efficiency

Sources: Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters (1993), National Stormwater Best Management Practices Database (2001), and Guide for BMP Selection in Urban Developed Areas (2001).

#### ATTACHMENT 4

##### Sample Form of Agreement for Ongoing Maintenance of Treatment Control BMPs

Source: Best Management Practices Guidance Series (BGS)

##### Agreement Regarding Maintenance of Treatment Control BMPs (Best Management Practices)

for APN No. \_\_\_\_\_

\_\_\_\_\_, being the owner of the real property located at \_\_\_\_\_, California, consents and agrees to inspect and maintain annually, prior to September 30 of each year, the Treatment Control BMPs (such as silt and/or grease traps or detention systems) on the subject property as shown on the improvement plans dated \_\_\_\_\_, on file with the City of \_\_\_\_\_. I agree to forward a letter providing proof of inspection and maintenance to the City of \_\_\_\_\_ Public Works Department prior to October 15 of each year.

In order to transfer the property to a private or public owner, I shall require the recipient to assume responsibility for maintenance of any Treatment Control BMPs in the sales or lease agreement for that property. The condition of transfer shall include a provision that the new property owner agrees to forward a letter providing proof of BMP inspection and maintenance to the City of \_\_\_\_\_ Public Works Department prior to October 15 of each year.

Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information shall also be required with any subsequent sale of the property.

~~I have read the above agreement and understand it.~~

\_\_\_\_\_  
\_\_\_\_\_  
Owner

\_\_\_\_\_  
\_\_\_\_\_  
Date

#### ~~ATTACHMENT 5~~

#### ~~Additional RWQCB Post-Construction Performance Requirements~~

~~Source: "Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region" adopted by the RWQCB on July 12, 2013.~~

##### ~~1) Performance Requirement No. 2: Water Quality Treatment~~

~~a) The Permittee shall require Regulated Projects, except detached single-family homes,  $\geq$  5,000 square feet of Net Impervious Area, and detached single-family homes  $\geq$  15,000 square feet of Net Impervious Area, to treat stormwater runoff as required in the Water Quality Treatment Performance Requirements in Section B.3.b. to reduce pollutant loads and concentrations using physical, biological, and chemical removal.~~

~~i) Net Impervious Area is the total (including new and replaced) post-project impervious areas, minus any reduction in total imperviousness from the pre-project to post-project condition: Net Impervious Area = (New and Replaced Impervious Area) – (Reduced Impervious Area Credit), where Reduced Impervious Area Credit is the total pre-project to post-project reduction in impervious area, if any.~~

~~b) The Permittee shall require each Regulated Project subject to Water Quality Treatment Performance Requirements to treat runoff generated by the Regulated Project site using the onsite measures below, listed in the order of preference (highest to lowest). Water Quality Treatment Performance Requirements shall apply to the runoff from existing, new, and replaced impervious surfaces on sites where runoff from existing impervious surfaces cannot be separated from runoff from new and replaced impervious surfaces.~~

~~i) Low Impact Development (LID) Treatment Systems—Implement harvesting and use, infiltration, and evapotranspiration Stormwater Control Measures that collectively achieve the following hydraulic sizing criteria for LID systems:~~

~~(1) Hydraulic Sizing Criteria for LID Treatment Systems—LID systems shall be designed to retain stormwater runoff equal to the volume of runoff generated by the 85th percentile 24-hour storm event, based on local rainfall data.~~

~~ii) Biofiltration Treatment Systems—Implement biofiltration treatment systems using facilities that must be demonstrated to be at least as effective as<sup>1</sup> a biofiltration treatment system with the following design parameters:~~

~~(1) Maximum surface loading rate appropriate to prevent erosion, scour and channeling within the biofiltration treatment system itself and equal to 5 inches per hour, based on the flow of runoff produced from a rain event equal to or at least:~~

~~(a) 0.2 inches per hour intensity; or~~

~~(b) Two times the 85th percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall depth~~

~~(2) Minimum surface reservoir volume equal to the biofiltration treatment system surface area times a depth of 6 inches~~

~~(3) Minimum planting medium depth of 24 inches. The planting medium must sustain a minimum infiltration rate of 5 inches per hour throughout the life of the project and must maximize runoff retention and pollutant removal. A mixture of sand (60% -70%) meeting the specifications of American Society for Testing and Materials (ASTM) C33 and compost (30% -40%) may be used. A Regulated Project may utilize an alternative planting medium if it demonstrates its planting medium is equal to or more effective at attenuating pollutants than the specified planting medium mixture.~~

~~(4) Proper plant selection<sup>2</sup>~~

~~(5) Subsurface drainage/storage (gravel) layer with an area equal to the biofiltration treatment system surface area and having a minimum depth of 12 inches~~

~~(6) Underdrain with discharge elevation at top of gravel layer~~

~~(7) No compaction of soils beneath the biofiltration facility (ripping/loosening of soils required if compacted)~~

~~(8) No liners or other barriers interfering with infiltration, except for situations where lateral infiltration is not technically feasible.~~

~~iii) Non Retention Based Treatment Systems—Implement Stormwater Control Measures that collectively achieve at least one of the following hydraulic sizing criteria for non retention-based treatment systems:~~

~~(1) Hydraulic Sizing Criteria for Non Retention Based Treatment Systems:~~

~~(a) Volume Hydraulic Design Basis—Treatment systems whose primary mode of action depends on volume capacity shall be designed to treat stormwater runoff equal to the volume of runoff generated by the 85th percentile 24 hour storm event, based on local rainfall data.~~

~~(b) Flow Hydraulic Design Basis—Treatment systems whose primary mode of action depends on flow capacity shall be sized to treat:~~

~~(i) The flow of runoff produced by a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall depths; or~~

~~(ii) The flow of runoff resulting from a rain event equal to at least 0.2 inches per hour intensity.~~

~~c) Stormwater Control Plan Requirements—For each Regulated Project subject to the Water Quality Treatment Performance Requirement, the Permittee shall require the Project Applicant to provide the below information in a Stormwater Control Plan. The Permittee shall not grant final project approval, until the Stormwater Control Plan for the Regulated Project sufficiently demonstrates the Regulated Project design meets the Water Quality Treatment Performance Requirements.~~

~~i) Project name, application number, location including address and assessor's parcel number~~

~~ii) Name of Applicant~~

~~iii) Project Phase number (if project is being constructed in phases)~~



~~iv) Project Type (e.g., commercial, industrial, multi-unit residential, mixed-use, public), and description~~

~~v) Total project site area~~

~~vi) Total new impervious surface area, total replaced impervious surface area, total new pervious area, and calculation of Net Impervious Area~~

~~vii) Statement of Water Quality Treatment Performance Requirements that apply to the Project~~

~~viii) Summary of Site Design and Runoff Reduction (Performance Requirement No. 1) measures selected for the project~~

~~ix) Description of all post-construction structural Stormwater Control Measures~~

~~x) Supporting calculations used to comply with the applicable Water Quality Treatment Performance Requirements~~

~~xi) Documentation certifying that the selection, sizing, and design of the Stormwater Control Measures meet the full or partial Water Quality Treatment Performance Requirement~~

~~xii) Water quality treatment calculations used to comply with Water Quality Treatment Performance Requirement and any analysis to support infeasibility determination~~

~~xiii) Statement of Compliance:~~

~~(1) Statement that Water Quality Treatment Performance Requirement has been met on-site, or, if not achievable:~~

~~(a) Documentation of the volume of runoff for which compliance cannot be achieved on-site and the associated off-site compliance requirements.~~

~~(b) Statement of intent to comply with Water Quality Treatment Performance Requirement through Alternative Compliance~~

#### ~~2) Performance Requirement No. 3: Runoff Retention~~

~~a) The Permittee shall require Regulated Projects, except detached single-family homes, that create and/or replace  $\geq 15,000$  square feet of impervious surface (collectively over the entire project site), and detached single-family homes  $\geq 15,000$  square feet of Net Impervious Area, in WMZs 1, 2, 5, 6, 8 and 9, and those portions of WMZs 4, 7, and 10 that overlie designated Groundwater Basins (Attachment B) to meet the Runoff Retention Performance Requirements in Sections B.4.b. and B.4.c. using the LID Development Standards in Section B.4.d. for optimal management of watershed processes.~~

~~b) Adjustments to the Runoff Retention Performance Requirements for Redevelopment—Where the Regulated Project includes replaced impervious surface, the below adjustments apply. These adjustments are accounted for in the Retention Tributary Area calculation in Attachment D.~~

~~i) Redevelopment Projects outside an approved Urban Sustainability Area, as described in Section C.3.—The total amount of replaced impervious surface shall be multiplied by 0.5 when calculating the volume of runoff subject to Runoff Retention Performance Requirements.~~

~~ii) Redevelopment Projects located within an approved Urban Sustainability Area (Section C.3.)—The total amount of runoff volume to be retained from replaced impervious surfaces shall be equivalent to the pre-project runoff volume retained.~~

~~c) The Permittee shall require Regulated Projects, subject to the Runoff Retention Performance Requirements, to meet the following Performance Requirements:~~

~~i) Watershed Management Zone 1 and portions of Watershed Management Zones 4, 7 and 10 which overlie designated Groundwater Basins:~~

~~(1) Retain 95th Percentile Rainfall Event—Prevent offsite discharge from events up to the 95th percentile 24-hour rainfall event as determined from local rainfall data.<sup>3</sup>~~

~~(2) Compliance must be achieved by optimizing infiltration. Compliance for retention of the remaining volume must be achieved via storage, rainwater harvesting and/or evapotranspiration.~~

~~ii) Watershed Management Zone 2:~~

~~(1) Retain 95th Percentile Rainfall Event—Prevent offsite discharge from events up to the 95th percentile 24-hour rainfall event as determined from local rainfall data.~~

~~(2) Compliance must be achieved via storage, rainwater harvesting, infiltration, and/or evapotranspiration.~~

~~iii) Watershed Management Zones 5 and 8:~~

~~(1) Retain 85th Percentile Rainfall Event—Prevent offsite discharge from events up to the 85th percentile 24-hour rainfall event as determined from local rainfall data.~~

~~(2) Compliance must be achieved by optimizing infiltration. Compliance for retention of the remaining volume must be achieved via storage, rainwater harvesting and/or evapotranspiration.~~

~~iv) Watershed Management Zones 6 and 9:~~

~~(1) Retain 85th Percentile Rainfall Event—Prevent offsite discharge from events up to the 85th percentile 24-hour rainfall event as determined from local rainfall data.~~

~~(2) Compliance must be achieved via storage, rainwater harvesting, infiltration, and/or evapotranspiration.~~

~~d) LID Development Standards—The Permittee shall require Regulated Projects, subject to Runoff Retention Performance Requirements, to meet Runoff Retention Performance Requirements (Sections B.4.b. and B.4.c.) using the following LID Development Standards:~~

~~i) Site Assessment Measures—Permittees shall require the applicant for each Regulated Project to identify opportunities and constraints to implement LID Stormwater Control Measures. Permittees shall require the applicant to document the following, as appropriate to the development site:~~

~~• Site topography~~

~~• Hydrologic features including contiguous natural areas, wetlands, watercourses, seeps, or springs~~

~~• Depth to seasonal high groundwater~~

- ~~Locations of groundwater wells used for drinking water~~
- ~~Depth to an impervious layer such as bedrock~~
- ~~Presence of unique geology (e.g., karst)~~
- ~~Geotechnical hazards~~
- ~~Documented soil and/or groundwater contamination~~
- ~~Soil types and hydrologic soil groups~~
- ~~Vegetative cover/trees~~
- ~~Run-on characteristics (source and estimated runoff from offsite which discharges to the project area)~~
- ~~Existing drainage infrastructure for the site and nearby areas including the location of municipal storm drains~~
- ~~Structures including retaining walls~~
- ~~Utilities~~
- ~~Easements~~
- ~~Covenants~~
- ~~Zoning/Land Use~~
- ~~Setbacks~~
- ~~Open space requirements~~
- ~~Other pertinent overlay(s)~~

ii) Site Design Measures—Permittees shall require the applicant for each Regulated Project to optimize the use of LID site design measures, as feasible and appropriate at the project site. Regulated Projects subject to Performance Requirement No. 3 must augment design strategies required by Performance Requirement No. 1 (Section B.2.a.i v) with the following:

- ~~Define the development envelope and protected areas, identifying areas that are most suitable for development and areas to be left undisturbed~~
- ~~Conserve natural areas, including existing trees, other vegetation, and soils~~
- ~~Limit the overall impervious footprint of the project~~
- ~~Construct streets, sidewalks, or parking lot aisles to the minimum widths necessary, provided that public safety or mobility uses are not compromised~~
- ~~Set back development from creeks, wetlands, and riparian habitats~~
- ~~Conform the site layout along natural landforms~~
- ~~Avoid excessive grading and disturbance of vegetation and soils~~

~~iii) Delineation of discrete Drainage Management Areas (DMAs)—The Permittee shall require each Regulated Project to delineate DMAs to support a decentralized approach to stormwater management.~~

~~(1) The Permittee shall require the applicant for each Regulated Project to provide a map or diagram dividing the entire project site into discrete DMAs~~

~~(2) The Permittee shall require the applicant for each Regulated Project to account for the drainage from each DMA using measures identified in Sections B.4.d.iv. and B.4.d.v., below:~~

~~iv) Undisturbed and Natural Landscape Areas—Permittees shall require each Regulated Project to implement appropriate Site Design (Section B.4.d.ii.), and Runoff Reduction Measures in Performance Requirement No. 1, to reduce the amount of runoff for which retention and treatment is required. Runoff reduction measures that can be used to account for this reduction also include the below measures. The Retention Tributary Area calculation in Attachment D accounts for these reductions.~~

~~(1) Undisturbed or areas planted with native, drought tolerant, or LID appropriate vegetation that do not receive runoff from other areas may be considered self treating and no additional stormwater management is required.~~

~~(2) Runoff from impervious surfaces, generated by the rainfall events identified in Section B.4.c, may be directed to undisturbed or natural landscaped areas. When the applicant can demonstrate that this runoff will be infiltrated and will not produce runoff to the storm drain system, or a surface receiving waterbody, or create nuisance ponding that may affect vegetation health or contribute to vector problems, then no additional stormwater management is required for these impervious surfaces.~~

~~v) Structural Stormwater Control Measures—Where Regulated Project Applicants have demonstrated in their Stormwater Control Plans, and the Permittee has confirmed, that use of Site Design measures listed in Section B.4.d.ii., Runoff Reduction measures listed in Performance Requirement No. 1, and undisturbed and natural landscape areas discussed in Section B.4.d.iv., has been maximized to the extent feasible, Structural Stormwater Control Measures designed for water quality treatment and/or flow control shall be used to comply with Performance Requirement No. 3.~~

~~(1) The Permittee shall require the Regulated Project applicant to use structural Stormwater Control Measures that optimize retention and result in optimal protection and restoration of watershed processes, such as Structural Control Measures associated with small scale, decentralized facilities designed to infiltrate, evapotranspire, filter, or capture and use stormwater.~~

~~vi) Hydrologic Analysis and Structural Stormwater Control Measure Sizing—To determine Stormwater Control Measure sizing and design, Permittees shall require Regulated Project applicants to use one of the following: 1) hydrologic analysis and sizing methods as outlined in Attachment D; 2) locally/regionally calibrated continuous simulation model that results in equivalent optimization of on-site runoff volume retention; or 3) hydrologic analysis and sizing methods, equally effective in optimizing on-site retention of the runoff generated by the rainfall event specified in Section B.4.c, that have been approved by the Central Coast Water Board Executive Officer.~~

~~e) Ten Percent Adjustment for Sites with Technical Infeasibility—Where technical infeasibility, as described in Section C.1.e., prevents full on-site compliance with the Runoff Retention Performance Requirement, on-site retention of the full Retention Volume per Section B.4.d.vi. is not required and the Regulated Project is required to dedicate no less than ten percent of the Regulated Project's Equivalent Impervious Surface Area<sup>4</sup> to retention-based Stormwater Control Measures.~~

- ~~i) Use the Attachment E instructions to calculate the ten percent adjustment for applying the Runoff Retention Performance Requirement.~~
- ~~ii) The Water Quality Treatment Performance Requirement is not subject to this adjustment, i.e., mitigation to achieve full compliance with the Water Quality Treatment Performance Requirement is required on- or off site.~~
- ~~f) Off-Site Mitigation—Off site mitigation is required when Regulated Projects do not retain the full Retention Volume per Section B.4.b and B.4.c, and 1) fail to demonstrate technical infeasibility of full retention; or 2) demonstrate technical infeasibility of full retention AND fail to dedicate at least ten percent of the Regulated Project's Equivalent Impervious Surface Area to retention-based Stormwater Control Measures.~~
- ~~i) Use the Attachment F instructions to calculate the Off-Site retention requirements when a Regulated Project subject to the Runoff Retention Performance Requirement does not allocate the full ten percent of the project site's Equivalent Impervious Surface Area to retention-based Stormwater Control Measures.~~
- ~~g) Reporting Requirements—For each Regulated Project subject to the Runoff Retention Performance Requirement, the Permittee shall require the Project Applicant to provide the below information in a Stormwater Control Plan. The Permittee shall not grant final project approval, until the Stormwater Control Plan for the Regulated Project sufficiently demonstrates the Regulated Project design meets the Water Quality Treatment and Runoff Retention Performance Requirements.~~
- i) Project Name, application number, and location including address and assessor's parcel number
- ii) Name of Applicant
- iii) Project Phase number (if project is being constructed in phases)
- iv) Project Type (e.g., commercial, industrial, multiunit residential, mixed use, public), and description
- v) Total project site area
- vi) Total new and/or replaced impervious surface area
- vii) Statement of Water Quality Treatment and Runoff Retention Performance Requirements that apply to the Project
- viii) Adjusted Requirements based on the local jurisdiction's approval, that the Project is allowed a Special Circumstance, Watershed or Regional Plan, or Urban Sustainability Area designation
- ix) Site assessment summary
- x) LID Measures used:
  - (1) Site design measures
  - (2) Runoff Reduction Measures
  - (3) Post-construction structural Stormwater Control Measures
- xi) Summary of Runoff Reduction Measures and Structural Stormwater Control Measures, by Drainage Management Area, as well as for the entire site

~~xii) Supporting calculations used to comply with the applicable Water Quality Treatment and Runoff Retention Performance Requirements~~

~~xiii) Documentation demonstrating infeasibility where Site Design and Runoff Reduction measures cannot retain required runoff volume~~

~~xiv) Documentation demonstrating infeasibility where retention based Stormwater Control Measures cannot retain and/or treat the required runoff volume~~

~~xv) Documentation demonstrating infeasibility where on-site compliance cannot be achieved~~

~~xvi) Documentation demonstrating percentage of the project's Equivalent Impervious Surface Area dedicated to retention based Stormwater Control Measures~~

~~xvii) Documentation of certification that the selection, sizing, and design of the Stormwater Control Measures meets the applicable Water Quality Treatment and Runoff Retention Performance Requirement~~

~~xviii) O&M Plan for all structural Stormwater Control Measures to ensure long-term performance~~

~~xix) Owner of facilities~~

~~xx) Statement of Compliance:~~

~~(1) Statement that the Water Quality Treatment and Runoff Retention Performance Requirements have been met on-site, or, if not achievable:~~

~~(a) Documentation of the volume of runoff for which compliance cannot be achieved on-site and the associated off-site compliance volume.~~

~~(b) Statement of intent to comply with Water Quality Treatment and Runoff Retention Performance Requirements through an Alternative Compliance agreement.~~

#### ~~5) Performance Requirement No. 4: Peak Management~~

~~The Permittee shall require all Regulated Projects that create and/or replace  $\geq 22,500$  square feet of impervious surface (collectively over the entire project site) in Watershed Management Zones 1, 2, 3, 6, and 9 to manage peak stormwater runoff as required below (Section B.5.a.i.), and to meet Water Quality Treatment and Runoff Retention Performance Requirements.~~

~~a) The Permittee shall apply the following Peak Management Performance Requirements:~~

~~i) Post-development peak flows, discharged from the site, shall not exceed pre-project peak flows for the 2 through 10-year storm events.~~

~~b) Reporting Requirements—For each Regulated Project subject to the Peak Management Performance Requirement, the Permittee shall require the Project Applicant to provide the below information in a Stormwater Control Plan. The Permittee shall not grant final project approval, until the Stormwater Control Plan for the Regulated Project sufficiently demonstrates the Regulated Project design meets the Water Quality Treatment, Runoff Retention, and Peak Management Requirements.~~

~~i) Project Name, application number, and location including address and assessor's parcel number~~

~~ii) Name of Applicant~~

- ~~iii) Project Phase number (if project is being constructed in phases)~~
- ~~iv) Project Type (e.g., commercial, industrial, multiunit residential, mixed use, public), and description~~
- ~~v) Total project site area~~
- ~~vi) Total new and/or replaced impervious surface area~~
- ~~vii) Statement of Water Quality Treatment, Runoff Retention, and Peak Management Performance Requirements that apply to the Project~~
- ~~viii) Adjusted Requirements based on the local jurisdiction's approval, that the Project is allowed a Special Circumstance, Watershed or Regional Plan, or Urban Sustainability Area designation~~
- ~~ix) Site assessment summary~~
- ~~x) LID Measures used:~~
  - ~~(1) Site design measures~~
  - ~~(2) Runoff Reduction Measures~~
  - ~~(3) Post construction structural Stormwater Control Measures~~
- ~~xi) Summary of Runoff Reduction Measures and Structural Stormwater Control Measures, by Drainage Management Area, as well as for the entire site~~
- ~~xii) Supporting calculations used to comply with the applicable Water Quality Treatment, Runoff Retention, and Peak Management Performance Requirements~~
- ~~xiii) Documentation demonstrating infeasibility where on-site compliance cannot be achieved~~
- ~~xiv) Documentation of certification that the selection, sizing, and design of the Stormwater Control Measures meets the applicable Water Quality Treatment, Runoff Retention, and Peak Management Performance Requirements~~
- ~~xv) O&M Plan for all structural SCMs to ensure long-term performance~~
- ~~xvi) Owner of facilities~~
- ~~xvii) Statement of Compliance:~~
  - ~~(1) Statement that the Water Quality Treatment, Runoff Retention, and Peak Management Performance Requirements have been met on-site, or, if not achievable:~~
    - ~~(a) Documentation of the volume of runoff for which compliance cannot be achieved on-site and the associated off-site compliance requirements.~~
    - ~~(b) Statement of intent to comply with Water Quality Treatment, Runoff Retention, and Peak Management Performance Requirements through an Alternative Compliance agreement.~~
  - ~~4) Performance Requirement No. 5: Special Circumstances~~

The Permittee may designate Regulated Projects as subject to Special Circumstances based on certain site and/or receiving water conditions. The Special Circumstances designation exempts a Regulated Project from Runoff Retention and/or Peak Management Performance Requirements where those Performance Requirements would be ineffective to maintain or

~~restore beneficial uses of receiving waters. The Regulated Project subject to Special Circumstances must still comply with the Water Quality Treatment Performance Requirements.~~

~~a) Special Circumstances include:~~

~~i) Highly Altered Channel Special Circumstance:~~

~~The Permittee may designate Regulated Projects as subject to Special Circumstances for Highly Altered Channels for the following conditions:~~

- ~~(1) Project runoff discharges into stream channels that are concrete lined or otherwise continuously armored from the discharge point to the channel's confluence with a lake, large river (>200 square mile drainage area).~~
- ~~(2) Project runoff discharges to a continuous underground storm drain system that discharges directly to a lake, large river (>200 square mile drainage area), the San Lorenzo River in the City of Santa Cruz, or marine nearshore waters~~
- ~~(3) Project runoff discharges to other areas identified by the Central Coast Water Board~~
- ~~(4) Under no circumstance described in 6.a.i. can runoff from the Regulated Project result in adverse impacts to downstream receiving waters~~

~~ii) Intermediate Flow Control Facility Special Circumstance:~~

- ~~(1) The Permittee may designate Regulated Projects as subject to Special Circumstances for Intermediate Flow Control Facilities if the project runoff discharges to an existing (as of the date when the Central Coast Water Board approved Resolution R3-2012-0025) flow control facility that regulates flow volumes and durations to levels that have been demonstrated to be protective of beneficial uses of the receiving water downstream of the facility.~~
- ~~(2) The flow control facility must have the capacity to accept the Regulated Project's runoff.~~
- ~~(3) Demonstration of facility capacity to accept runoff and to regulate flow volumes and durations must include quantitative analysis based on numeric, hydraulic modeling of facility performance.~~
- ~~(4) Under no circumstance described in Section B.6.a.ii. can runoff from the Regulated Project result in adverse impacts to downstream receiving waters.~~

~~iii) Historic Lake and Wetland Special Circumstance:~~

~~(1) The Permittee may designate Regulated Projects as subject to Special Circumstances for Historic Lakes and Wetlands for the following conditions:~~

- ~~(a) Project is located where there was once a historic lake or wetland where pre-development hydrologic processes included filtration and storage but no significant infiltration to support downstream receiving water.~~
- ~~(b) The Special Circumstance has been established based on a delineation of the historic lake or wetland approved by the Central Coast Water Board Executive Officer~~

~~b) Performance Requirements for Highly Altered Channel and/or Intermediate Flow Control Facility Special Circumstances:~~



~~i) For Regulated Projects that: 1) create and/or replace  $\geq 22,500$  square feet of impervious surface; 2) are located in WMZs 1, 2, 5, and 8, and those portions of WMZs 4, 7, and 10 that overlie a designated Groundwater Basin;~~

~~(1) Water Quality Treatment (Performance Requirement No. 2)~~

~~(2) Runoff Retention (Performance Requirement No. 3)~~

~~ii) For Regulated Projects that: 1) create and/or replace  $\geq 22,500$  square feet of impervious surface; and 2) are located in WMZs 3, 6, and 9, and those portions of WMZs 4, 7, and 10 that do not overlie a designated Groundwater Basin;~~

~~(1) Water Quality Treatment (Performance Requirement No. 2)~~

~~c) Performance Requirements for Historic Lake and Wetland Special Circumstances~~

~~i) For Regulated Projects that create and/or replace  $\geq 15,000$  and  $< 22,500$  square feet of impervious surface and meet the Historic Lake and Wetland Special Circumstance;~~

~~(1) Water Quality Treatment (Performance Requirement No. 2)~~

~~(2) Detention: Detain runoff such that the post-project peak discharge rate does not exceed the pre-project rate for all runoff up to the 95th percentile 24-hr rainfall event, or a more protective rate consistent with the Permittee's own development requirements~~

~~ii) For Regulated Projects that create and/or replace  $\geq 22,500$  square feet of impervious surface and meet the Historic Lake and Wetland Special Circumstance;~~

~~(1) Water Quality Treatment (Performance Requirement No. 2)~~

~~(2) Peak Management: Detain runoff such that the post-project peak discharge rate does not exceed the pre-project rate for the 95th percentile 24-hr rainfall event and the 2- through 10-yr storm events or a more protective rate consistent with the Permittee's own development requirements.~~

~~d) Documentation and Approval of Special Circumstances—The Permittee shall provide reasonable documentation to justify that a Regulated Project is more appropriately categorized under the Special Circumstances category.~~

~~i) Historic Lake and Wetland Special Circumstance—Prior to granting a Regulated Project Special Circumstances, the Permittee shall submit a proposal to the Central Coast Water Board Executive Officer for review and approval. The proposal shall include, at a minimum:~~

~~(1) Delineation of historic lakes and wetlands and any supporting technical information to substantiate the requested Special Circumstances designation; and~~

~~(2) Documentation that the proposal was completed by a registered professional engineer, geologist, architect, and/or landscape architect.~~

~~(Ord. 2014-01 § 1 (Exh. A), 2014).~~

## **Appendix J BMP Guidance Series.**

Updated February 4, 2014

### **COMMERCIAL WASHING AND CLEANING**

This guidance specifies Best Management Practices (BMPs) for commercial washing and cleaning that shall be employed to protect water quality. Additional best management

~~practices, measures and controls shall be employed as applicable and to the maximum extent practicable to prevent pollutants from entering storm water runoff.~~

#### ~~BMPs APPLICABLE TO MOBILE CAR WASHERS AND CAR DETAILERS~~

~~The Goal and Purpose of these BMPs is to minimize or prevent the discharge of pollutants into storm drains from vehicle and equipment cleaning operations by either (1) discharging wash waters to the sanitary sewer, (2) containing wash water for offsite disposal, or (3) directing wash water (without cleaners) to landscaped areas.~~

~~Use These Best Management Practices:~~

~~BMP 1 Planning: Determine what collection method you will be using and where you are going to discharge wash water before starting a new job. Identify where all storm drains are located in the vicinity of the jobsite. Never discharge wastewater into a street, ditch, storm drain, or maintenance hole. Obtain all necessary permits and authorizations. If you are going to discharge into the sanitary sewer system at the job site, or on unpaved areas at the job site, always obtain the property owner's permission.~~

~~BMP 2 Pre-Clean the Work Area: Before starting work sweep or vacuum the work area to pick up litter, trash, debris, dirt, and other materials which could become mixed in with the wash water. Use absorbents (such as rags, absorbent mats or pads, rice hull ash, cat litter, vermiculite, or sand) to pick up greasy or oily materials and spills. Waste materials from pre-cleaning may often be disposed of in the trash. Check with the local solid waste authority to be sure. Rags may be sent to an industrial laundry. Know which pre-cleaning wastes may be hazardous wastes. If there is any question as to whether a wash water, or waste material, is considered to be a hazardous material, check with the Monterey County Division of Environmental Health to make this determination and properly dispose of these materials.~~

~~BMP 3 Washing and Detailing: Minimize the amount of water used during washing and detailing to reduce the amount of wash water that will need to be disposed. Avoid cleaning products that contain hazardous substances (e.g. hydrofluoric acid, muriatic acid, sodium hydroxide, bleach, etc.) that can create hazardous waste. When possible, avoid using soap and solvents—even biodegradable soap is harmful to the environment. If soap is used, use phosphate-free, non-toxic, biodegradable soap. Any soap, including those labeled "biodegradable" does not belong in creeks, ocean or ground water. They are harmful to aquatic life and should never be misconstrued as safe for direct disposal to surface waters (i.e., storm drains).~~

~~BMP 4 Wash Water Containment and Collection: Contain and collect the wash water and dispose of it as described below. Decide what is the best method of collection (e.g., berms, storm drain cover mats, containment pools, vacuums/pumps, vacuum boom, inflatable pipe plug, etc). Locate property high and low spots to determine where wash water can be pooled for collection.~~

~~Wash water that contains visible debris or residue, soap, detergent or other cleaning agents, hazardous waste, or excessive amounts of any pollutant, may not be left on paved surfaces to evaporate because the residues will eventually be discharged to the storm drain system. However, small amounts of wash water that cannot reasonably be collected may be allowed to evaporate on a paved surface.~~

~~Wash water from the rinsing of new or used vehicles for dust removal only, using no soap may be discharged to the storm drain or an unpaved area, if the wash water does not flow through oil deposits or other surface contaminants.~~

~~Promptly clean up any spill of liquid or solid wastes. Do not hose down an area to clean up a spill, unless the liquid will be completely contained, cleaned up and disposed of to sanitary sewer or offsite as appropriate for the waste type.~~

~~If Possible, Either:~~

~~1) Use a designated wash area that is paved and protected by permanent or movable berms, dikes, and mats. Contain the wash water and vacuum it up or otherwise collect it for disposal. Do not allow wash water to leave the property. If the driveway is an avenue for runoff it must be bermed to contain the wash water.~~

~~OR~~

~~2) Conduct washing and detailing on a pervious unpaved area such as lawn, dirt, or gravel so that the wash water will be retained and percolate within these areas. Keep washing activities away from storm drains or water conveyances, so that the wash water will infiltrate into the ground and not flow to the storm drains or creeks. This option applies to sites where only one or two vehicles are cleaned every couple of weeks. Do not use this option just before or after a rainstorm.~~

~~If Neither of These Approaches is Feasible:~~

~~Collect and contain the wash water and prevent it from flowing into any storm drains by sealing or plugging them, or by protecting them with a berm or other means. For information about containing wash water, see the Section titled "Devices That May be Used to Contain and Collect Wash Water."~~

~~BMP 5 Wash Water Disposal: Do not discharge wash water to storm drain. Once wash water has been collected, either (1) discharge it to the sanitary sewer, or septic system via the sanitary sewer clean out or sanitary sewer inlet at the point of generation (job site), (2) discharge it to landscaping or other suitable unpaved areas, or (3) collect it in a container for later disposal at an appropriate off-site location. Such locations could include a liquid waste-receiving facility at a municipal wastewater treatment plant, such as MRWPCA's Regional Treatment Plant located north of the City of Marina, or the sanitary sewer at the pressure-washer's place of business using the sewer clean out. Use of disposal options (1) and (2) require the property owner's permission.~~

~~Discharges must be in compliance with the wastewater authority's Sewer Use Ordinance, or other applicable regulations of the authority. For the Monterey Regional Water Pollution Control Agency (MRWPCA), the applicable Ordinances are MRWPCA's Sewer Use Ordinance 2008-01, which can be accessed at <http://www.mrwpea.org/ordinances>. For the Carmel Area Wastewater District (CAWD), the applicable Ordinance is CAWD's Ordinance 91-03.~~

~~When cleaning surfaces such as buildings and decks without loose paint, sidewalks, or plazas without soap, thorough dry cleanup should normally be sufficient to allow the wash water to be discharged to the sanitary sewer without pretreatment. However, if any debris is present in the wash water it should first pass through a "20 mesh" or finer screen to remove the material before discharging it to the sanitary sewer. The material that is removed should be disposed of in the trash.~~

~~Discharges of wash water to a septic system must be approved by the Monterey County Division of Environmental Health. Discharges that contain hazardous waste, have the potential to harm septic systems, or are likely to contaminate groundwater, will not be approved.~~

~~With the property owner's permission wash water can sometimes be disposed of to landscaping or other unpaved areas. If this means of disposal is being considered, first check the slope of the intended disposal area to be sure there will be no runoff into a street, gutter, or waterway. Also, ensure that the wash water will not create a nuisance condition or contain food products or contaminants (i.e. solvents, cleaners, oils, metals, etc.) that may constitute a hazardous waste. If disposal to landscaped areas is being considered, avoid damage to plants and soil by minimizing or eliminating the use of soaps, detergents, and chemicals. In addition, minimize the use of water to avoid wash water overflowing from these areas. Repeated discharges to landscaped areas may result in an accumulation of contaminants, thus damaging vegetation and increasing contaminant levels in the soil. If the soil is very dry, wet it down thoroughly before discharging, so that wash water will soak into the soil instead of running off to the street, gutter, or storm drain. Wash water disposal to land must not create a nuisance condition. Wash water containing garbage, food wastes, or visible trash may not be discharged to land.~~

~~Be sure to read cleaning product labels before disposing of wash water. Follow use and disposal instructions carefully. If there is any question as to whether a wash water, or waste material, is considered to be a hazardous material, check with the Monterey County Division of Environmental Health to make this determination and properly dispose of these materials. Depending on the condition of the surface being cleaned, the wastewater generated could be classified as hazardous waste. Some examples include:~~

- ~~1. Wastewater generated from parking lots, storage areas, and gas stations may contain oil, gas, solvents, antifreeze, metals, and/or pesticides.~~
- ~~2. Washing building exteriors with paint made prior to 1978 may contain lead.~~

~~Generating hazardous waste may dramatically increase operating costs and limit disposal options. Contact the Monterey County Division of Environmental Health for more information on hazardous waste determination and disposal.~~

#### ~~BMPs APPLICABLE TO THE WASHING AND/OR CLEANING OF EXTERIOR SURFACES (E.G. SIDEWALKS, PARKING LOTS, BUILDING EXTERIORS, ETC.)~~

~~The Goal and Purpose of these BMPs is to minimize or prevent the discharge of pollutants into storm drains from washing and/or cleaning operations by either (1) discharging wash waters to the sanitary sewer, (2) containing wash water for offsite disposal to a suitable discharge facility, or (3) directing wash water to landscaped or other unpaved areas.~~

~~These BMPs apply to cleaning and/or power washing of surfaces including, but not limited to, sidewalks and plazas; parking areas; driveways, drive thrus; restaurant/food handling cleaning and storage areas; building exteriors, roofs and decks; painted surfaces being cleaned to remove paint or graffiti; and graffiti removal.~~

#### ~~Use These Best Management Practices:~~

~~BMP 1 Planning: Determine what collection method you will be using and where you are going to discharge wastewater before starting a new job. Identify where all storm drains are located in the vicinity of the jobsite. Never discharge wastewater into a street, ditch, storm drain, or maintenance hole. Obtain all necessary permits and authorizations. If you are going to discharge into the sanitary sewer system at the job site, or on unpaved areas at the job site, always obtain the property owner's permission.~~

~~BMP 2 Surface Pre-Cleaning: Before washing use dry methods for surface pre-cleaning whenever possible. In many cases the amount of wash water that will need to be collected and disposed of can be reduced, if this process is followed:~~

~~1. Use absorbents (such as rags, absorbent mats or pads, rice hull ash, cat litter, vermiculite, or sand) to pick up greasy or oily materials and spills.~~

~~2. Sweep or vacuum to pick up litter, trash, debris, dirt, and used absorbents.~~

~~3. Waste materials from dry cleanup such as absorbents, paint chips, etc. may often be disposed of in the trash. Check with the local solid waste authority to be sure. Rags may be sent to an industrial laundry. Know which pre-cleaning wastes may be hazardous waste~~

~~BMP-3 Washing and Cleaning: Minimize the amount of water used during washing and cleaning to reduce the amount of wash water that will need to be disposed. Avoid cleaning products that contain hazardous substances (e.g. hydrofluoric acid, muriatic acid, sodium hydroxide, bleach, etc.) that can create hazardous waste. Avoid acidic, caustic, and other products that may damage paved or coated surfaces. When possible, avoid using soap—even biodegradable soap is harmful to the environment. Before using soap, test to see whether hot water under pressure will do the job. Avoid using solvent-based cleaners (especially chlorinated solvent cleaners).~~

~~Beware of pressure washing surfaces that contain lead-based paint, or areas with freestanding liquids (e.g. oil, solvents, antifreeze, etc.). Pressure washing these types of surfaces may generate hazardous waste (e.g., lead-based paint chips, oil/grease, hydrofluoric acid, muriatic acid, etc.). Generating hazardous waste may dramatically increase your operating costs and limit your disposal options. For more information on hazardous waste determination call the Monterey County Division of Environmental Health at (831) 647-7654 or 755-4511.~~

~~BMP-4 Wash Water Containment and Collection: Contain and collect the wash water and dispose of it as described below. Decide what is the best method of collection (e.g. berms, storm drain cover mats, containment pools, vacuums/pumps, vacuum boom, inflatable pipe plug, etc). Locate property high and low spots to determine where wash water can be pooled for collection.~~

~~A simple and acceptable method for collecting wash water on private property requires only a drain plug, small sump pump, and a length of hose. If a small parking lot type catch basin is available, remove the grate, plug the drain pipe (usually 2, 3, or 4 inches in diameter), and place the pump in the catch basin, attached to a garden hose which will discharge to disposal (see section below regarding disposal). Vacuum booms are another option for capturing and collecting wash water. Sand bags can be used to create a barrier around storm drains, and plugs or rubber mats can be used to seal storm drain openings. Other common equipment used for containing and collecting wash water generated during pressure washing activities include: vacuum pumps, booms/berms, portable containment areas, weighted storm drain covers, oil/water separators, holding tanks, portable sump pumps, absorbents, and more. These are described in more detail below.~~

~~Avoid mixing non-hazardous wash water with wash water known to contain hazardous levels of pollutants. This will increase the volume of waste that requires treatment and/or disposal as a hazardous waste, thus increasing disposal costs. Do not leave areas of wash water on paved surfaces for evaporation. Sweep up any visible solids and sediments remaining after all the wash water has been collected.~~

~~Surface cleaning wastewater that contains visible debris or residue, soap, detergent or other cleaning agents, hazardous waste, or excessive amounts of any pollutant, may not be left on paved surfaces to evaporate because the residues will eventually be discharged to the storm drain system.~~

~~For additional information about containing wash water, see the Section titled “Devices That May be Used to Contain and Collect Wash Water.”~~

~~BMP 5 Wash Water Disposal: Do not discharge wash water to storm drain. Once wash water has been collected, either (1) discharge it to the sanitary sewer, or septic system via the sanitary sewer clean out or sanitary sewer inlet at the point of generation (job site), (2) discharge it to landscaping or other suitable unpaved areas, or (3) collect it in a container for later disposal at an appropriate off-site location. Such locations could include a liquid waste-receiving facility at a municipal wastewater treatment plant, such as MRWPCA's Regional Treatment Plant located north of the City of Marina, or the sanitary sewer at the pressure-washer's place of business using the sewer clean out. Use of disposal options (1) and (2) require the property owner's permission.~~

~~Discharges to the sanitary sewer must comply with the discharge requirements of the appropriate wastewater authority. The requirements of the two principal wastewater authorities within the area covered by the Monterey Regional Storm Water Management Program (MRSWMP) are described in the Section titled "Requirements for Discharge to the Sanitary Sewer."~~

~~When cleaning surfaces such as buildings and decks without loose paint, sidewalks, or plazas without soap, thorough dry cleanup should normally be sufficient to allow the wash water to be discharged to the sanitary sewer without pretreatment. However, if any debris is present in the wash water it should first pass through a "20 mesh" or finer screen to remove the material before discharging it to the sanitary sewer. The material that is removed should be disposed of in the trash.~~

~~Discharges of surface cleaning wastewater to a septic system must be approved by the Monterey County Division of Environmental Health. Discharges that contain hazardous waste, have the potential to harm septic systems, or are likely to contaminate groundwater, will not be approved.~~

~~With the property owner's permission wash water can sometimes be disposed of to landscaping or other unpaved areas. If this means of disposal is being considered, first check the slope of the intended disposal area to be sure there will be no runoff into a street, gutter, or waterway. Also, ensure that the wash water will not create a nuisance condition or contain food products or contaminants (i.e. solvents, cleaners, oils, metals, etc.) that may constitute a hazardous waste. If disposal to landscaped areas is being considered, avoid damage to plants and soil by minimizing or eliminating the use of soaps, detergents, and chemicals. In addition, minimize the use of water to avoid wash water overflowing from these areas. Repeated discharges to landscaped areas may result in an accumulation of contaminants, thus damaging vegetation and increasing contaminant levels in the soil. If the soil is very dry, wet it down thoroughly before discharging, so that wash water will soak into the soil instead of running off to the street, gutter, or storm drain. Wash water disposal to land must not create a nuisance condition. Wash water containing garbage, food wastes, or visible trash may not be discharged to land.~~

~~Be sure to read cleaning product labels before disposing of wash water. Follow use and disposal instructions carefully. If there is any question as to whether a wash water, or waste material, is considered to be a hazardous material, check with the Monterey County Division of Environmental Health to make this determination and properly dispose of these materials. Depending on the condition of the surface being cleaned, the wastewater generated could be classified as hazardous waste. Some examples include:~~

~~3. Wastewater generated from parking lots, storage areas, and gas stations may contain oil, gas, solvents, antifreeze, metals, and/or pesticides.~~

~~4. Washing building exteriors with paint made prior to 1978 may contain lead.~~

~~Generating hazardous waste may dramatically increase operating costs and limit disposal options. Contact the Monterey County Division of Environmental Health for more information on hazardous waste determination and disposal.~~

#### ~~DEVICES THAT MAY BE USED TO CONTAIN AND COLLECT WASH WATER~~

~~The following are examples of devices that may be used to contain and collect wash water. The collection devices described are not endorsed and are only provided as a reference tool. In addition, there may be other containment devices available, which are not listed. Note: When working with electrical equipment in wet environments, it is important to understand and comply with applicable health/safety and electrical codes, and well as utilize appropriate safety equipment (e.g. Ground Fault Interrupters, etc.)~~

~~For information about where equipment and materials of these types can be obtained, see the Section titled “Sources of Equipment and Supplies.”~~

#### ~~Berms~~

~~Berms may be used to prevent wastewater from entering a storm drain by placing a protective barrier around the storm drain inlet, thus allowing wastewater to pool around the inlet prior to proper collection and disposal. This type of containment may be less effective or ineffective when the storm drain is located at the bottom of a slope and/or a large amount of wastewater is generated.~~



#### ~~Storm Drain Covers/Mats~~

~~These devices are placed on top of the storm drain cover grate, creating a quick seal, thus preventing wastewater from entering the storm drain system. Storm drain covers/mats (magnetic vinyl mats, PVC drain covers, polyurethane mats, and others) allow wastewater to accumulate on top of it until the pressure washing activity is complete and the wash water can be collected for proper disposal. Storm drain covers/mats are frequently used along with a vacuum device that diverts wastewater into the sanitary sewer.~~





#### Containment Pools

A portable or temporary containment pool is another option which may be used to collect wash water. Containment pools are easy to assemble, provide an immediate work area, and allow wash water to be collected in a manner that will prevent pollutants from entering the storm drain system. Containment pools vary in size and material and can also be used for washing equipment and vehicles.



#### Vacuums/Pumps

Devices such as wet/dry vacuums, sump pumps, and vacuum pumps may be used to collect and dispose of wash water after pressure washing. Vacuum devices typically have an extension (vacuum boom) which allows the water to be collected efficiently. In addition, many vacuum devices are equipped with a hose that can run from the pump to the sanitary sewer, a treatment device, or a holding tank depending on the disposal method.



#### Vacuum Boom



~~Vacuum booms are an attachment for the vacuum device. The boom typically rests flush on the ground and draws wastewater through small holes on the bottom of the boom. In addition, different varieties of vacuum booms are available for areas with steep slopes or rough terrain.~~



#### ~~Inflatable Pipe Plug~~

~~Inflatable pipe plugs prevent wash water from entering a storm drain system by blocking the pipe leading from the drain inlet. Unlike the storm drain mats/covers that block the storm drain grates, the inflatable pipe plug is inserted into the storm drain pipe and uses the inlet structure beneath the grate to collect the wash water. Once inserted, the plug is inflated to make a snug fit. Once the wash water has been contained, it can be collected and disposed by using a portable pump device. Note: inflatable pipe plugs should only be used in storm drains on private property. They are not authorized to be used in public storm drain inlets or pipes.~~



### ~~CONSTRUCTION SITE BMPs~~

~~This guidance specifies Best Management Practices (BMPs) for construction sites that shall be employed to protect water quality during construction. At a minimum, every construction site shall employ applicable BMPs outlined below. The additional best management practices, measures and controls described below shall be employed as applicable and to the maximum extent practicable to prevent pollutants from entering stormwater runoff. For additional details on items shown with an asterisk (\*), see Section 4 “Sources of Additional Information” in this Guidance Series.~~

#### ~~Section 1.0 Construction Site Planning BMPs~~

~~Project proponent must develop and implement a plan to manage storm water and non-storm water discharges from the site at all times. Grading during the wet season must be minimized and should coincide with seasonal dry weather periods to the maximum extent practicable. If grading does occur during the wet season, project proponent is required to implement additional BMPs for any rain events which may occur.~~

##### ~~1.1 Site Plan~~

~~1.1.1 Plan the development to fit the topography, soils, drainage pattern and natural vegetation of the site.~~

~~1.1.2 Remove existing vegetation only when absolutely necessary.~~

~~1.1.3 Delineate clearing limits, easements, setbacks, sensitive or critical areas, trees, drainage courses, and buffer zones to prevent excessive or unnecessary disturbances and exposure.~~

~~1.1.4 Avoid construction on steep slopes\*~~

~~1.1.5 Minimize cuts and fills\*~~

~~1.1.6 Align temporary and permanent roads and driveways along slope contours\*~~

## ~~1.2 Other Measures~~

~~1.2.1 Phase grading operations to reduce disturbed areas and time of exposure~~

~~1.2.2 Avoid excavation and grading during wet weather~~

~~1.2.3 Winterize construction site\*~~

## ~~Section 2.0 Erosion and Sediment Control BMPs~~

~~Project proponent must stabilize all slopes and emphasize erosion prevention as the most important measure for keeping sediment on site during construction, and must utilize sediment controls as a supplement to erosion prevention for keeping sediment on site during construction, and never as the single or primary method.~~

### ~~2.1 Soil Cover~~

~~2.1.1 Install cover materials such as vegetative debris, mulch, crushed stone, geotextile fabric, erosion control blankets\*~~

~~2.1.2 Use soil stabilizers as appropriate\*~~

~~2.1.3 Use temporary seeding and planting to reduce erosion potential\*~~

~~2.1.4 Temporarily stabilize and reseed disturbed soil areas as rapidly as possible~~

~~2.1.5 Permanently re-vegetate or landscape as early as maximally practicable~~

### ~~2.2 Tracking Control (for sites where on-site room allows for these measures)~~

~~2.2.1 Construct stabilized access roads and entrances\*~~

~~2.2.2 Construct entrance/exit tire wash\*~~

~~2.2.3 When cleaning sediments from streets, driveways and paved areas on construction sites, use dry sweeping methods where possible. If water must be used to flush pavement, collect runoff in temporary storage tanks to settle out sediments prior to discharge to the storm drains, and protect storm drain inlets.~~

### ~~2.3 Structures to Control and Convey Runoff~~

~~2.3.1 Earth dikes, drainage swales and ditches\*~~

~~2.3.2 Slope drains and subsurface drains\*~~

~~2.2.3 Velocity dissipation devices\*~~

~~2.3.4 Flared culvert end sections\*~~

~~2.3.5 Check dams\*~~

## ~~2.4 Other Measures~~

### ~~2.4.1 Slope roughening/terracing/rounding\*~~

### ~~2.4.2 Level spreader\*~~

## ~~2.5 BMPs to Capture Sediment~~

~~2.5.1 Use terracing, riprap, sand bags, rocks, straw bales, and/or temporary vegetation on slopes to reduce runoff velocity and trap sediments. Do not use asphalt rubble or other demolition debris for this purpose.~~

~~2.5.2 Protect storm drain inlets from sediment laden runoff. Storm drain inlet protection devices include sand bag barriers, filter fabric fences, block and gravel filters, and excavated drop inlet sediment traps.\*~~

~~2.5.3 When dewatering the site, remove sediment from the discharge using filtration methods. Mobile units specifically designed for construction site dewatering can be rented for this purpose.~~

## ~~2.6 Other Controls (as required)~~

### ~~2.6.1 Silt fence\*~~

### ~~2.6.2 Straw bale barrier (other than at storm drain inlets)\*~~

### ~~2.6.3 Sand bag barrier\*~~

### ~~2.6.4 Brush or rock filter\*~~

### ~~2.6.5 Sediment trap\*~~

### ~~2.6.6 Temporary sediment basin\*~~

~~\*For additional details, see Section 4.0 "Sources of Additional Information" below.~~

## ~~Section 3.0 General Site and Materials Management~~

### ~~3.1 All Construction Sites~~

~~3.1.1 Identify all storm drains, drainage swales, channels, sloped areas, and creeks located on or near the construction site and make sure all subcontractors are aware of their locations and use appropriate methods to prevent pollutants from entering them.~~

~~3.1.2 Clean up leaks, drips, and other spills immediately.~~

~~3.1.3 Refuel vehicles and heavy equipment in one designated location.~~

~~3.1.4 Wash vehicles at an appropriate off site facility. If equipment must be washed on site, do not use soaps, solvents, degreasers, or steam cleaning equipment, and prevent wash water from entering the storm drain.~~

~~3.1.5 Never wash down pavement or surfaces where materials have spilled. Use dry cleanup methods whenever possible.~~

~~3.1.6 Avoid contaminating clean runoff from areas adjacent to your site by using berms and/or temporary or permanent drainage ditches to divert water flow around the site.~~

~~3.1.7 Keep materials out of the rain. Schedule clearing or heavy earth moving activities for periods of dry weather. Cover exposed piles of soil, construction materials and wastes with plastic sheeting or temporary roofs. Before it rains, sweep and remove materials from surfaces that drain to storm drains, creeks, or channels.~~

~~3.1.8 Place trash cans around the site to reduce litter. Dispose of non-hazardous construction wastes in covered dumpsters or recycling receptacles. Recycle leftover materials whenever possible.~~

~~3.1.9 Dispose of all wastes properly. Materials that can not be reused or recycled must be taken to an appropriate landfill or disposed of as hazardous waste.~~

~~3.1.10 Cover open dumpsters with plastic sheeting or a tarp during rainy weather. Secure the sheeting or tarp around the outside of the dumpster. If your dumpster has a cover, close it.~~

~~3.1.11 Train your employees and inform subcontractors about the stormwater requirements and their own responsibilities.~~

### ~~3.2 Construction Projects Involving Paint Work~~

~~3.2.1 Non-hazardous paint chips and dust from dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash. Chemical paint stripping residue and chips and dust from marine paints or paints containing lead or tributyl tin must be disposed of as a hazardous waste.~~

~~3.2.2 When stripping or cleaning building exteriors with high-pressure water, cover or berm storm drain inlets. If possible (and allowed by your local wastewater authority), collect (mop or vacuum) building cleaning water and discharge to the sanitary sewer.~~

~~3.2.3 Never clean brushes or rinse paint containers into a street, gutter, storm drain, or creek.~~

~~3.2.4 For water-based paints, paint out brushes to the extent possible and rinse to a drain leading to the sanitary sewer (i.e., indoor plumbing).~~

~~3.2.5 For oil-based paints, paint out brushes to the extent possible, and filter and reuse thinners and solvents. Dispose of unusable thinners and residue as hazardous waste.~~

~~3.2.6 Recycle, return to supplier or donate unwanted water-based (latex) paint.~~

~~3.2.7 Dried latex paint may be disposed of in the garbage.~~

~~3.2.8 Unwanted oil-based paint (that is not recycled), thinners, and sludges must be disposed of as hazardous waste.~~

### ~~3.3 Construction Projects Involving Cement and Concrete Work~~

~~3.3.1 Avoid mixing excess amounts of fresh concrete or cement mortar on site.~~

~~3.3.2 Store dry and wet materials under cover, protected from rainfall and runoff.~~

~~3.3.3 Wash out concrete transit mixers only in designated wash-out areas where the water will flow into settling ponds or onto dirt or stockpiles of aggregate base or sand. Pump water from settling ponds to the sanitary sewer, where allowed. Whenever possible, recycle washout by pumping back into mixers for reuse. Never dispose of washout into the street, storm drains, drainage ditches, or creeks.~~

~~3.3.4 Whenever possible, return contents of mixer barrel to the yard for recycling. Dispose of small amounts of excess concrete, grout, and mortar in the trash.~~

### ~~3.4 Construction Projects Involving Roadwork/Pavement Construction~~

~~3.4.1 Apply concrete, asphalt, and seal coat during dry weather to prevent contaminants from contacting stormwater runoff.~~

~~3.4.2 Cover storm drain inlets and manholes when paving or applying seal coat, slurry seal, fog seal, etc.~~

~~3.4.3 Always park paving machines over drip pans or absorbent materials, since they tend to drip continuously.~~

~~3.4.4 When making saw cuts in pavement, use as little water as possible. Cover each storm drain inlet completely with filter fabric during the sawing operation and contain the slurry by placing straw bales, sandbags, or gravel dams around the catch basins. Use a wet dry vacuum to pick up slurry prior to drying or after the liquid drains or evaporates, shovel or vacuum the slurry residue from the pavement or gutter and remove from site.~~

~~3.4.5 Wash down exposed aggregate concrete only when the wash water can: (1) flow onto a dirt area; (2) drain onto a bermed surface from which it can be pumped and disposed of properly; or (3) be vacuumed from the area along the curb where sediment has accumulated by blocking a storm drain inlet.~~

~~3.4.6 Allow aggregate rinse to settle, and pump the water to the sanitary sewer if allowed by your local wastewater authority.~~

~~3.4.7 Never wash sweepings from exposed aggregate concrete into a street or storm drain. Collect and return to aggregate base stockpile, or dispose with trash.~~

~~3.4.8 Recycle broken concrete and asphalt.~~

### ~~Section 4.0 Sources of Additional Information~~

~~Additional information on Construction Site Controls is available in the publications listed below.~~

~~4.1 California Stormwater Quality Association (2003) Storm Water Best Management Practice Handbook—Construction.~~

~~4.2 Association of Bay Area Governments. 1995. Manual of Standards for Erosion and Sediment Control Measures. A comprehensive field guide for controlling soil erosion in California.~~

~~4.3 BASMAA. 1996. Start at the Source—Residential Site Planning and Design Guidance Manual.~~

~~4.4 Caltrans. (2003) Storm Water Quality Handbooks—Construction Contractors Guide and Specifications. May.~~

~~4.5 California RWQCB, San Francisco Region, Erosion and Sediment Control Field Manual (most recent edition).~~

~~4.6 Caltrans (2003), Storm Water Quality Handbooks—Project Planning and Design Guide.~~

### ~~POST CONSTRUCTION BMPS FOR NEW DEVELOPMENT AND REDEVELOPMENT~~

~~The focus of this guidance is post construction BMPs for new development or redevelopment projects. Post construction BMPs are grouped into three types:~~

- ~~1. Site Planning Measures that avoid or reduce disturbance of the site and limit the addition of impervious surfaces;~~
- ~~2. Pollution Prevention and Source Control Measures that reduce or eliminate potential future sources of pollutants; and~~
- ~~3. Treatment Control Measures that treat polluted runoff from new development/redevelopment sites.~~

~~This guidance is focused strictly on specific controls that can be incorporated into individual development projects to avoid or reduce the pollutants from the particular project. Where appropriate, pros and cons are described along with typical conditions under which these controls have been found to be effective.~~

~~The best opportunities for post construction controls are available in larger projects or when implemented on a regional basis, and most of this guidance emphasizes controls that can be introduced in larger new development/redevelopment projects through the discretionary approval process. The second section of this guidance presents a list of controls that can be employed for small infill type projects which are subject only to the ministerial approval process where the opportunities are limited.~~

~~Projects requiring discretionary approval from the local jurisdiction include almost all projects except minor infill development. This discretionary approval process is commonly the design-review process, although other discretionary approvals such as a use permit or a subdivision-map approval may also be triggered depending on the characteristics of the project.~~

~~Projects requiring ministerial approval are small improvement projects that conform to the site zoning requirements and include either a new single family unit or minor modifications to an existing single family unit or a single structure. Such projects typically do not need discretionary approval, but will in all cases need a ministerial permit, such as a building or a grading permit.~~

#### **Post-Construction BMPs for Projects Requiring Discretionary Approvals**

##### **Site Planning BMPs**

~~This group of post construction controls includes site planning to protect sensitive resources at or near the site and the use of alternate paving and cover materials to reduce the amount of impervious surfaces added by a new development. Studies have shown that in single family residential areas, streets are the primary producers of runoff, and sidewalks and lawns, if properly vegetated, are a minor source. In multi family developments, streets, parking lots and roofs generate similar quantities of runoff. In commercial/industrial areas, parking lots and roofs are the main generators of runoff. It follows then that to reduce impervious surfaces, in single family residential areas reduction of street width and driveway lengths should be the primary strategy, while in multi family developments and industrial/commercial areas, strategies should focus on reducing parking lots and the footprint of buildings. For more information on site planning, refer to “Start at the Source Residential Site Planning and Design Guidance Manual for Stormwater Quality Protection”, available from BASMAA.~~

~~Site planning BMPs that minimize impervious surface and maximize infiltration are described below:~~

- ~~1. Cluster development — Concentrate the development on a limited portion of the site and leave the remaining portion undisturbed. This should be used where appropriate without creating other hazards such as those of access during emergencies.~~

~~2. Preserve natural drainages—This measure includes not filling in the natural drainage features at the site, maintaining invert/streambeds to maximize capacity, and providing vegetated setbacks or buffer strips outside of the maximum water surface level. Main concerns are related to safety especially of children and future need for mosquito/pest control.~~

~~3. Reduce sidewalk widths, especially in low traffic areas—This control provides limited runoff reduction benefits, and reduction of width may not be possible due to Americans with Disabilities Act (ADA) requirements.~~

~~1. Avoid curb and gutter along driveways and streets where appropriate—This is recommended in areas where flooding and ponding of water creating mosquito habitat is not a problem. Replace with swales.~~

~~2. Use alternate paving materials/porous/permeable materials, where appropriate—This measure includes use of alternate paving materials (e.g., porous asphalt, pervious concrete, pavers), landscaping, mulch, gravel and cobbles where appropriate to provide ground cover, and reduce the use of asphalt or other impervious pavement. Pavers are recommended for driveways, walkways, and patios in single family residences where the site does not generate highly polluted runoff (that could contaminate groundwater if it were to infiltrate) and where ADA requirements do not have to be met. In non-residential areas, pavers are recommended for emergency access roads, overflow parking areas, and non-handicapped parking stalls. (Note: Some types of alternate paving materials may not be suitable where heavy loads (e.g. truck movement) are anticipated.) For more information on alternate paving materials, see Post Construction Controls for New Development Fact Sheets available from BASMAA.~~

~~3. Reduce the length of driveways or infiltrate driveway runoff—This control applies mainly to single family residential units. If reduction of the driveway length is not possible, grade and construct driveway so that runoff from driveway is directed to the adjacent landscaped areas.~~

~~4. Reduce street width by eliminating on-street parking (where such actions do not pose a safety hazard)—This measure can be generally used in new residential areas. In addition to reducing the impervious area, this control has the added benefit of removing cars from streets and making street sweeping easier and more effective. If on-street parking in residential areas is eliminated, the developer must provide adequate off-street visitor parking.~~

~~5. Reduce alley width or use alternate materials for paving alleys—If alleys are included in a proposed development, width should be minimized or alternate paving materials should be used.~~

~~6. Set aside open space—This control is recommended for all developments (residential and non-residential). The main concern with open space relates to maintenance, weed control, and fire prevention. This group includes controls that can be incorporated into new development/redevelopment projects to avoid pollution in the long run by eliminating sources.~~

#### **Pollution Prevention and Source Control BMPs**

This group of BMPs includes controls that can be incorporated into new development/redevelopment projects to avoid pollution by eliminating sources.

~~1. Provide green areas where pets can be exercised—Pet excrement is a major source of bacteria in urban runoff. Provide green areas in new residential developments where people can walk their pets and keep pet excrement away from sidewalks and streets.~~

~~2. Install landscaping or other cover—Clearing and grading of surfaces in new development can increase potential for erosion. Install landscaping or other cover materials to minimize~~

~~erosion from graded surfaces. Use of native plant materials is recommended because native plants require less maintenance and irrigation, and are typically more resistant to fires than non-native grasses. Native plants do take longer to cover slopes, therefore during the first few years, supplemental protection (erosion blanket, mulch, etc.) will be necessary.~~

~~3. Incorporate low-maintenance landscaping—At sites where erosion may not be a concern but landscaping is proposed as part of the development, use low-maintenance landscaping that does not require frequent fertilizer, pesticide and herbicide application. Assistance in identifying the types of trees, shrubs, and ground cover that would work in the community, based on local climatic and soil conditions, can be obtained from garden centers, landscapers, and other sources.~~

~~4. Label storm drains to discourage dumping—Label all storm drain inlets and catch basins within the project area with prohibitive language (such as: “NO DUMPING—DRAINS TO OCEAN”) and/or graphical icons to discourage illegal dumping. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area. Legibility of stencils and signs must be maintained.~~

~~5. Where possible, eliminate gutters/roof drains or direct runoff to landscaped areas—Roof drains can be eliminated only in one to two-story buildings. Where these cannot be eliminated, direct the downspout of the gutter to a landscaped area or into an infiltration trench. Install several gutters to distribute the flow.~~

~~6. Construct designated vehicle wash area—In new residential developments involving more than 50 units, construct a designated vehicle wash area so that the runoff from vehicle washing can be properly treated and/or disposed. Contact the local wastewater authority to determine if the discharge can be plumbed to the sanitary sewer. If not, provide appropriate treatment and disposal of this runoff.~~

~~7. Where possible use underground parking and the construction of multi-storied parking structures—For commercial projects build underground or multi-story parking structures so that not only is impervious surface minimized but the parking surfaces are under a roof and not exposed to storm water.~~

~~8. Where possible use cooperative or shared parking—For commercial areas this may be a cooperative effort between commercial entities or between commercial entities and the City.~~

~~9. Use alternate paving materials for parking lots—This control is recommended for overflow parking areas and for less frequently used parking spaces (typically these are spaces along the periphery of the parking lot that will not have to meet ADA requirements and due to low usage there will be less concern regarding pollution of groundwater through infiltration of stall runoff).~~

~~10. Use measures to reduce building footprint and increase use of taller structures (where appropriate)—This control is recommended for commercial and municipal structures, where it would also be consistent with other City planning and building requirements.~~

~~11. Berm waste storage areas—Grade and pave outdoor waste receptacle areas to prevent run-on of storm water, and install a low containment berm around it. Alternately, construct a covered enclosure with wash-down capabilities plumbed into the sanitary sewer, after first contacting the local wastewater authority to verify that this practice will be acceptable.~~

~~12. Install valves on storm drain inlets in loading dock areas—At commercial/industrial facilities where loading docks are proposed, install a valve(s) to control runoff in the event of spills.~~



### ~~Treatment BMPs~~

~~This group of BMPs includes controls that can be built at new development and redevelopment sites to capture and treat the polluted runoff before it enters the City's storm drain system or other receiving waters. Those BMPs which are feasible for the proposed development should be incorporated into its design.~~

~~Treatment control design standards, depending on the type of units, are based on either treating a given volume of runoff (e.g., first 0.5 inch of runoff) or a peak flow rate associated with a design storm. The volume approach is often utilized for small catchments where there tends to be a "first flush" condition (e.g., a parking lot). Design storms for storm water controls may be small (e.g. recurrence intervals of 3 months to 2 years) compared to flood control designs standards because of the need to minimize the size and cost of the unit, and because most runoff is associated with the more frequent smaller events. Treatment controls must be designed such that volumes and flows in excess of the design standard bypass the unit, otherwise there is the possibility of aggravating flooding and also causing re-suspension of previously captured sediments or other constituents. Also, all of the treatment BMPs described below require some inspection, maintenance, and disposal of solids to ensure optimum performance and often to avoid flooding.~~

~~1. Rooftop Catchment Systems—These are rooftops which can sometimes be designed into large commercial and industrial sites to pool stormwater which, following the storm, evaporates. This effectively eliminates rooftop runoff from the storm drain system, and thereby reduces the hydraulically connected impervious area. Another function of these systems is to slow down the runoff to reduce peaks. Problems with rooftop catchment systems are mainly related to leakage.~~

~~2. Vegetated Filter Strips—Vegetated filter strips, buffer strips, or riparian buffer zones are strips of vegetation placed between receiving waters (e.g., along streams) and pollutant sources. The effectiveness of the strips depend primarily on the width of the strip, and the vegetation type and condition. Strips of 100-300 feet in width are often considered. Such strips have been successfully applied to urban, agricultural, and forestry situations. Vegetation type selection must take into account the climate and usually should be drought resistant. Maintenance is primarily annual cutting. Such strips are recommended for developments located along receiving waters such as streams, rivers and lakes, but outside the flood control boundary.~~

~~3. Vegetated Swales—Swales are shallow low gradient channels that are vegetated. They are commonly applied in rural residential areas in lieu of traditional curb/gutters and underground stormwater drainage pipes. Water quality improvement is achieved primarily through filtration, and performance is dependent on the swale hydraulic capacity and vegetation type and condition. Influent water should be relatively free of coarse sediment to avoid burying the vegetation. Where sediment loads are of concern, sediment settling basins can be provided upstream of the swales. Maintenance consists primarily of vegetation management and settling basin cleanouts. Swales are generally recommended for low density residential developments located in relatively flat terrain.~~

~~4. Infiltration Basins—Infiltration basins store and infiltrate stormwater into the surficial groundwater aquifer. Performance is critically dependent on soil porosity and adequate depth to groundwater. Such conditions are typical of inland valleys, in contrast to low lying coastal areas. In order to maintain recharge rates, influent water may require pretreatment to remove sediments. Infiltration basins are effective at reducing runoff rates and volumes and can provide water supply benefits through aquifer recharge. Maintenance primarily consists of periodic removal of accumulated trash, debris and sediments to maintain recharge rates. Infiltration basins are generally recommended in areas where the depth to groundwater is relatively high and the soils are highly pervious. Where such conditions exist, this technology~~

~~is generally applicable to the entire range of urban development, although the potential for groundwater contamination is often of concern in industrial areas.~~

~~5. Infiltration Trenches—Infiltration trenches are shallow drains filled with high porosity materials (e.g. gravel). Stormwater discharged to these trenches is stored during the runoff event and infiltrates into the groundwater during dry weather periods. As with infiltration basins, performance requires porous sub-soils and adequate depth to the groundwater table. The acceptability and designs of infiltration trenches must take into consideration the potential for infiltrating water to adversely affect soil strength around foundations. Infiltration trenches are generally not recommended for roof runoff near buildings because of building code requirements; but can be effective as part of the overall open channel drainage system.~~

~~6. Dry Detention Ponds/Basins—These are basins designed to temporarily store and treat storm water prior to gradually releasing it downstream. Such basins can provide flood control and storm water treatment benefits. Treatment performance depends on storage volume (12-24 hours of residence time is considered a good rule of thumb), and good circulation (avoidance of short circuiting). A major factor limiting good performance is that, during larger storm runoff events, water entering a dry basin may re-suspend previously settled material in which case the ponds may act as a source of sediment and associated chemicals. In general dry basins are not as effective as wet basins (discussed below), however, in certain arid areas, wet basins are not feasible. Performance of dry basins can be improved by incorporating slow release outlet structures. Such basins are generally applicable to residential, commercial, and industrial development in areas where there is insufficient runoff to maintain wet basins.~~

~~7. Retention Ponds/Wet Basins—These are basins that contain a permanent pool of water. Such ponds can provide flood control, ecological, and water quality benefits. The performance of wet basins depends on the size of the basin, watershed characteristics, and influent conditions. The primary treatment process in retention ponds is settling. Maintenance is required for removing debris, vegetation management, and maintaining the inlet and outlet structures. Accumulation rates in such basins typically require that accumulated sediment be removed about once every 10-20 years. Retention ponds are generally applicable to most urban situations, as long as there is adequate space for the facility and acceptable geological conditions.~~

~~8. Constructed/Restored Wetlands—In addition to providing flood control and water supply benefits through artificial recharge of groundwater, constructed wetlands designed for stormwater management provide water quality benefits through a number of processes including sedimentation, filtration, absorption, biological processes, and nutrient uptake. Pollutant removal performance depends on the size of the wetland relative to the watershed, the design of the wetland, and the type and composition of wetland vegetation. Wetlands also provide additional ecological and recreational benefits. If a significant amount of sedimentation is anticipated, a deep settling basin could be constructed (which the water would enter prior to reaching the wetland). The basin would require periodic maintenance to remove accumulated sediment. Constructed wetlands require maintenance, especially in the first 5-10 years during which vegetation is growing and natural seeding is occurring. Providing suitable hydrologic conditions for vegetation growth and water treatment is key to successful performance of constructed wetlands. Constructed wetlands are generally applicable to most urban situations, as long as there is adequate space for the facility, an adequate source of water, and appropriate soils. In California, such wetlands would likely be seasonal in nature. The cost of urban lands often preclude this type of treatment in the more densely developed portions of urban areas.~~

~~A variation of this control is the use of existing wetlands for urban runoff treatment. Existing wetlands at or downstream of a new development/redevelopment project can be enhanced to improve hydrology, and runoff from the development project can be directed to the wetlands. Note that the dry detention ponds/basins, retention ponds/wet basins, and the constructed~~

~~wetlands need to be periodically monitored for accumulation of toxic materials, and provisions made for cleanout and disposal pretreatment may be added (to remove heavy sediment trash and debris) to reduce maintenance. If a significant amount of sediment is anticipated, a deep settling basin could be constructed. This would also need to be periodically cleaned out to maintain capacity.~~

~~9. Filtration Systems—Filtration systems convey stormwater through filter media (e.g., sand, compost, charcoal) to treat the storm water. The chemicals treated vary depending on the type of media and may include fine sediment, colloidal material, hydrocarbons, organics, nutrients and dissolved metals. Such systems come in many sizes and designs including: (1) inserts placed in individual storm drain inlets, (2) linear units that treat stormwater from small impervious areas such as parking lots, and (3) large 1-2 acre sand filters that treat runoff from urban catchments. Filters are effective as long as the capacity of the filter is not exceeded, and the filter is not allowed to clog. Filter inserts are particularly problematic in this regard, and recent testing and evaluation questions their applicability where material in runoff will clog or block the filter. In stormwater applications filter systems are required to remove blocking materials (leaves, trash, debris, sediments, oil and grease) and storage to better manage flow rates. Experience to date with filter type inserts for drain inlets suggest that the units are easily clogged with sediment and debris, with resultant bypassing of most of the flows. Therefore, inserts are not recommended unless frequent inspection and cleaning is performed. Filtration systems will have limited application in small well-maintained parking lots.~~

~~10. Oil/Grit Separators—Oil/grit (gravity) separators are usually multi-chambered treatment units that are placed underground and treat stormwater from a drainage catchment. The individual chambers often are designed to trap grit and floatables, and adsorb hydrocarbons. Flows in excess of the design capacity should be diverted around the unit, otherwise there is the possibility that sediment previously trapped in the chambers will be re-suspended and flushed downstream. Inspection and maintenance is required to ensure that the units are not filling up with sediment, as accumulation can affect performance. Traditional gravity-oil/water separators that utilize skimming devices and coalescing plates (to increase droplet size and capture) are generally not applicable to stormwater conditions where total hydrocarbon concentrations are generally less than 10 mg/l. The performance of oil/grit separators varies depending on the chosen design. Research should be done before selecting any separators to verify that they will perform as desired. In general, oil/grit separators are useful only at sites where there are chances that oil spills could occur and to a limited degree at development sites that have high oil and grease loadings such as petroleum storage yards and vehicle storage facilities.~~

#### ~~Post-Construction BMPs for Projects Requiring Ministerial Approvals~~

~~1. Incorporate low-maintenance landscaping—Use low-maintenance drought-tolerant landscaping that does not require frequent fertilizer, pesticide and herbicide application.~~

~~2. Label storm drains to discourage dumping—Label all storm drain inlets and catch basins within the project area with prohibitive language (such as: “NO DUMPING—DRAINS TO OCEAN”) and/or graphical icons to discourage illegal dumping. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area. Legibility of stencils and signs must be maintained.~~

~~3. Where possible, direct gutters to landscaped areas—Roof drains may be eliminated only in one to two-story buildings. Where these cannot be eliminated, direct the downspout of the gutter to landscaped area or into an infiltration trench. Install several gutters to distribute the flow. Note that roof drains may be eliminated in residential and some commercial areas only, and should not be eliminated in industrial areas.~~

~~4. Use alternate paving materials/porous/permeable materials, where appropriate—Use alternate paving materials (pavers), landscaping, mulch, gravel and cobbles where appropriate to provide ground cover, and reduce the use of asphalt or other impervious pavement. Pavers are recommended for driveways, walkways, and patios in single family residences where the site does not generate highly polluted runoff (that could contaminate groundwater if it were to infiltrate) and where ADA requirements do not have to be met. In non residential areas, pavers are recommended for emergency access roads, overflow parking areas, and non handicapped parking stalls. These are not recommended where heavy loads (e.g. truck movement) are anticipated. For more information on alternate paving materials, see Post Construction Controls for New Development Fact Sheets available from BASMAA.~~

#### ~~Providing Proof of Ongoing Post Construction BMP Maintenance~~

~~As part of project review, if a project applicant is required to include Structural or Treatment Control BMPs in project plans, the City will require that the applicant provide verification of maintenance provisions through such means as may be appropriate, including, but not limited to legal agreements, covenants, CEQA mitigation requirements and/or Conditional Use Permits.~~

~~For all properties, the verification will include the developer's signed statement, as part of the project application, accepting responsibility for all structural and treatment control BMP maintenance until the time the property is transferred and, where applicable, a signed agreement from the public or private entity assuming responsibility for Structural or Treatment Control BMP maintenance. A sample agreement is included in Attachment A at the end of this section.~~

~~The transfer of property to a private or public owner shall have conditions requiring the recipient to assume responsibility for maintenance of any Structural or Treatment Control BMP included in the sales or lease agreement for that property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection of all Structural or Treatment Control BMPs at least once a year and retain proof of inspection. For residential properties where the Structural or Treatment Control BMPs are located within a common area which will be maintained by a homeowner's association, language regarding the responsibility for maintenance shall be included in the projects conditions, covenants and restrictions (CC&Rs).~~

~~Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information shall also be required with any subsequent sale of the property.~~

#### ~~Sources of Additional Information~~

~~For additional information on post construction controls for new development and redevelopment projects, see the following:~~

~~Bay Area Stormwater Management Agencies Association. 1996. Start at the Source—Residential Site Planning and Design Guidance Manual for Stormwater Quality Protection.~~

~~City of Olympia. 1994. Impervious Surface Reduction Study. Conducted by the Public Works Department. Water Resources Program. November. (for information on reducing impervious surfaces such as street widths, sidewalks, and parking facilities).~~

~~Wilson, A. 1994. "Stormwater Management, Environmentally Sound Approaches", published in the Environmental Building News, Vol. 3, No. 5, September/October. (for a general discussion of new development controls).~~

~~City of San Rafael. 1991. Hillside Residential Design Guidelines Manual. Prepared by Gast-Hilmer Associates. (for more information on designing and building residential developments in hilly areas).~~

~~Bay Area Stormwater Management Agencies Association (BASMAA). 1997. Compilation of New Development Stormwater Treatment Controls in the San Francisco Bay Area. June. (For treatment controls)~~

~~California State Stormwater Quality Task Force. 1993. California Stormwater Best Management Practice Handbook—Municipal. March. (For treatment controls)~~

~~US Environmental Protection Agency. 1993. Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters, Issued Under Authority of Section 6217(g) of the Coastal Zone Act Reauthorization Amendments of 1990. EPA 840-B-92-002. January.~~

~~Center for Watershed Protection, Watershed Protection Techniques, A Quarterly Bulletin on Urban Watershed Restoration and Protection Tools.~~

~~Center for Watershed Protection. 1996. Design of Stormwater Filtering Systems, prepared for Chesapeake Research Consortium, December.~~

~~Center for Watershed Protection. 1995. Site Planning for Urban Stream Protection, prepared by T. Schueler for Metropolitan Washington Council of Governments. (For information on cluster development, stream protection buffers, street reduction controls)~~

#### ~~MANDATORY DESIGN STANDARDS~~

~~All discretionary development and redevelopment projects that fall into one of the following categories are subject to the Design Standards set forth below. These categories are:~~

- ~~1. Single Family Hillside Residences~~
- ~~2. 100,000 Square Foot Commercial Developments~~
- ~~3. Automotive Repair Shops~~
- ~~4. Retail Gasoline Outlets~~
- ~~5. Restaurants~~
- ~~6. Home Subdivisions with 10 or more housing units~~

~~7. Parking lots 5,000 square feet or more or with 25 or more parking spaces and potentially exposed to storm water runoff~~

#### ~~1. Design Standards Applicable to All Categories:~~

~~a. Peak Storm Water Runoff Discharge Rates. Post development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increased peak storm water discharge rate will result in increased potential for downstream erosion.~~

~~b. Conserve Natural Areas. If determined appropriate by the City, the following items must be implemented in the site layout during the subdivision design and approval process, consistent with applicable General Plan and Local Area Plan policies:~~

~~1) Concentrate or cluster Development on portions of a site while leaving the remaining land in a natural undisturbed condition.~~

~~2) Limit clearing and grading of native vegetation at a site to the minimum amount needed to build lots, allow access, and provide fire protection.~~

~~3) Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.~~

~~4) Promote natural vegetation by using parking lot islands and other landscaped areas.~~

~~5) Preserve riparian areas and wetlands.~~

~~e. Minimize Storm Water Pollutants of Concern. The development must be designed so as to minimize, to the maximum extent practicable, the introduction of pollutants of concern that may result in significant impacts, generated from site runoff of directly connected impervious areas (DCIA), to the storm water conveyance system as approved by the building official. Pollutants of concern consist of any pollutants that exhibit one or more of the following characteristics: current loadings or historic deposits of the pollutant are impacting the beneficial uses of a receiving water, elevated levels of the pollutant are found in sediments of a receiving water and/or have the potential to bioaccumulate in organisms therein, or the detectable inputs of the pollutant are at concentrations or loads considered potentially toxic to humans and/or flora and fauna. In meeting this specific requirement, "minimization of the pollutants of concern" will require the incorporation of a BMP or combination of BMPs best suited to maximize the reduction of pollutant loadings in that runoff to the Maximum Extent Practicable.~~

~~d. Protect Slopes and Channels. Project plans must include BMPs consistent with local codes, ordinances, or other regulatory mechanism and these Design Standards to decrease the potential of slopes and/or channels from eroding and impacting storm water runoff:~~

~~1) Convey runoff safely from the tops of slopes and stabilize disturbed slopes.~~

~~2) Utilize natural drainage systems to the maximum extent practicable.~~

~~3) Stabilize permanent channel crossings.~~

~~4) Vegetate slopes with native or drought tolerant vegetation, as appropriate.~~

~~5) Install energy dissipaters, such as riprap, at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels in accordance with applicable specifications to minimize erosion, with the approval of all agencies with jurisdiction, e.g., the U.S. Army Corps of Engineers and the California Department of Fish and Game.~~

~~e. Provide Storm Drain System Stenciling and Signage. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as: "NO DUMPING—DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area. Legibility of stencils and signs must be maintained.~~

~~f. Properly Design Outdoor Material Storage Areas. Outdoor material storage areas refer to storage areas or storage facilities solely for the storage of materials. Where proposed project plans include outdoor areas for storage of materials that may contribute pollutants to the storm water conveyance system, the following Structural or Treatment BMPs are required:~~

~~1) Materials with the potential to contaminate storm water must be: (a) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the storm water conveyance system; or (b) protected by secondary containment structures such as berms, dikes, or curbs.~~

~~2) The storage area must be paved and sufficiently impervious to contain leaks and spills.~~

~~3) The storage area must have a roof or awning to minimize collection of storm water within the secondary containment area.~~

~~g. Properly Design Trash Storage Areas. A trash storage area refers to an area where a trash receptacle or receptacles (dumpsters) are located for use as a repository for solid wastes. All trash storage areas must meet the following Structural or Treatment Control BMP requirements (individual single family residences are exempt from these requirements):~~

~~1) Trash container areas must have drainage from adjoining roofs and pavement diverted around the area(s).~~

~~2) Trash container areas must be screened or walled to prevent off-site transport of trash.~~

~~h. Provide Proof of Ongoing BMP Maintenance. If a project applicant has included or is required to include, Structural or Treatment Control BMPs in project plans, the applicant shall provide verification of maintenance provisions through such means as may be considered appropriate by the City, including but not limited to legal agreements, covenants, CEQA mitigation requirements and/or Conditional Use Permits. For all properties, the verification will include the developer's signed statement, as part of the project application, accepting responsibility for all structural and treatment control BMP maintenance until the time the property is transferred and, where applicable, a signed agreement from the public entity assuming responsibility for Structural or Treatment Control BMP maintenance. The transfer of property to a private or public owner must have conditions requiring the recipient to assume responsibility for maintenance of any Structural or Treatment Control BMP to be included in the sales or lease agreement for that property, and will be the owner's responsibility. The condition of transfer shall include a provision that the property owners conduct maintenance inspection of all Structural or Treatment Control BMPs at least once a year and retain proof of inspection. For residential properties where the Structural or Treatment Control BMPs are located within a common area which will be maintained by a homeowner's association, language regarding the responsibility for maintenance must be included in the project's conditions, covenants and restrictions (CC&Rs). Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, how the necessary maintenance can be performed, and assistance that the City may be able to provide. The transfer of this information shall also be required with any subsequent sale of the property. If Structural or Treatment Control facilities are located within a public area proposed for transfer, they will be the responsibility of the developer until they are accepted for transfer by the public agency. Structural or Treatment Control facilities proposed for transfer must meet design standards adopted by the public entity for the facilities installed and shall be approved by the public agency prior to its installation.~~

~~i. Properly Design Structural and Treatment Control Facilities. Structural and treatment control facilities shall be designed based on either a volumetric or flow based treatment control design standard, or both, as described below to mitigate (infiltrate, filter or treat) storm water runoff:~~

~~1) Volumetric Treatment Control Design Standard:~~

~~a) The 85th percentile 24 hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or~~



~~b) The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook—Industrial/Commercial, (2003); or~~

~~c) The volume of runoff produced from a historical record based reference 24-hour rainfall criterion for “treatment” that achieves approximately the same reduction in pollutant loads achieved by the 85th percentile 24-hour runoff event.~~

~~2) Flow Based Treatment Control Design Standard:~~

~~a) The flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the area; or~~

~~b) The flow of runoff produced from a rain event that will result in treatment of the same portion of runoff as treated using volumetric standards above.~~

~~Limited Exclusion: Restaurants and Retail Gasoline Outlets, where the land area for development or redevelopment is less than 5,000 square feet, are excluded from the numerical Structural or Treatment Control BMP design standard requirement only.~~

~~2. Provisions Applicable to Individual Priority Project Categories:~~

~~a. 100,000 Square Foot Commercial Developments:~~

~~1) Properly Design Loading/Unloading Dock Areas:~~

~~a) Cover loading dock areas or design drainage to minimize run-on and runoff of storm water.~~

~~b) Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.~~

~~2) Properly Design Repair/Maintenance Bays:~~

~~a) Repair/maintenance bays must be indoors or designed in such a way that doesn’t allow storm water run-on or contact with storm water runoff.~~

~~b) Design a repair/maintenance bay drainage system to capture all wash water, leaks and spills. Connect drains to a sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required by local wastewater authority, obtain an Industrial Waste Discharge Permit.~~

~~3) Properly Design Vehicle/Equipment Wash Areas:~~

~~a) Self-contained and/or covered areas must be equipped with a clarifier, or other pretreatment facility, and~~

~~b) Properly connected to a sanitary sewer or other appropriately permitted disposal facility.~~

~~b. Restaurants:~~

~~1) Properly Design Equipment/Accessory Wash/Steam Clean Areas:~~

~~a) These areas must be self-contained, equipped with a grease trap, and properly connected to a sanitary sewer.~~

~~b) If the wash area is to be located outdoors, it must be covered, paved, have secondary containment, and be connected to the sanitary sewer or other appropriately permitted disposal facility.~~



~~c. Retail Gasoline Outlets:~~

~~1) Properly Design Fueling Area:~~

- ~~a) The fuel dispensing area must be covered with an overhanging roof structure or canopy. The canopy's minimum dimensions must be equal to or greater than the area within the grade break. The canopy must not drain onto the fuel dispensing area, and the canopy downspouts must be routed to prevent drainage across the fueling area.~~
- ~~b) The fuel dispensing area must be paved with Portland cement concrete (or equivalent smooth impervious surface), and the use of asphalt concrete shall be prohibited.~~
- ~~c) The fuel dispensing area must have a 2% to 4% slope to prevent ponding, and must be separated from the rest of the site by a grade break that prevents run-on of storm water to the extent practicable.~~
- ~~d) At a minimum, the concrete fuel dispensing area must extend 6.5 feet (2.0 meters) from the corner of each fuel dispenser, or the length at which the hose and nozzle assembly may be operated plus 1 foot (0.3 meter), whichever is less.~~

~~d. Automotive Repair Shops:~~

~~1) Properly Design Fueling Area:~~

- ~~a) The fuel dispensing area must be covered with an overhanging roof structure or canopy. The canopy's minimum dimensions must be equal to or greater than the area within the grade break. The canopy must not drain onto the fuel dispensing area, and the canopy downspouts must be routed to prevent drainage across the fueling area.~~
- ~~b) The fuel dispensing area must be paved with Portland cement concrete (or equivalent smooth impervious surface), and the use of asphalt concrete shall be prohibited.~~
- ~~c) The fuel dispensing area must have a 2% to 4% slope to prevent ponding, and must be separated from the rest of the site by a grade break that prevents run-on of storm water to the extent practicable.~~
- ~~d) At a minimum, the concrete fuel dispensing area must extend 6.5 feet (2.0 meters) from the corner of each fuel dispenser, or the length at which the hose and nozzle assembly may be operated plus 1 foot (0.3 meter), whichever is less.~~

~~2) Properly Design Repair/Maintenance Bays:~~

- ~~a) Repair/maintenance bays must be indoors or designed in such a way that doesn't allow storm water run-on or contact with storm water runoff.~~
- ~~b) Design a repair/maintenance bay drainage system to capture all wash water, leaks and spills. Connect drains to a sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required by local wastewater authority, obtain an Industrial Waste Discharge Permit.~~

~~3) Properly Design Vehicle/Equipment Wash Areas:~~

- ~~a) These areas must be self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to a sanitary sewer or other appropriately permitted disposal facility.~~

~~4) Properly Design Loading/Unloading Dock Areas:~~

~~a) Cover loading dock areas or design drainage to minimize run-on and runoff of storm water.~~

~~b) Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.~~

~~e. Parking Lots:~~

~~1) Properly Design Parking Areas:~~

~~a) Reduce impervious land coverage of parking areas.~~

~~b) Infiltrate or treat runoff.~~

~~2) Properly Design To Limit Oil Contamination and Perform Maintenance:~~

~~a) Treat to remove oil and petroleum hydrocarbons at parking lots that are heavily used (e.g. fast food outlets, lots with 25 or more parking spaces, sports event parking lots, shopping malls, grocery stores, discount warehouse stores).~~

~~b) Ensure adequate operation and maintenance of treatment systems particularly sludge and oil removal, and system fouling and plugging prevention control.~~

~~1. Waiver.~~

~~At its discretion and for good cause, the City may waive one or more of the requirements set forth in this Section if impracticability for a specific property can be established. A waiver of impracticability shall be granted only when all other Structural or Treatment Control BMPs have been considered and rejected as infeasible. Recognized situations of impracticability include, (i) extreme limitations of space for treatment on a redevelopment project, (ii) unfavorable or unstable soil conditions at a site to attempt infiltration, and (iii) risk of ground water contamination because a known unconfined aquifer lies beneath the land surface or an existing or potential underground source of drinking water is less than 10 feet from the soil surface. A waiver may be revoked for cause and with proper notice.~~

~~4. Limitation on Use of Infiltration BMPs.~~

~~Three factors significantly influence the potential for storm water to contaminate ground water. They are (i) pollutant mobility, (ii) pollutant abundance in storm water, (iii) and soluble fraction of pollutant. The risk of contamination of groundwater may be reduced by pretreatment of storm water. In addition, the distance of the groundwater table from the infiltration BMP may also be a factor determining the risk of contamination. A water table distance separation of ten feet depth in California presumptively poses negligible risk for storm water not associated with industrial activity or high vehicular traffic.~~

~~Site specific conditions must be evaluated when determining the most appropriate BMP. Additionally, monitoring and maintenance must be provided to ensure groundwater is protected and the infiltration BMP is not rendered ineffective by overload. This is especially important for infiltration BMPs for areas of industrial activity or areas subject to high vehicular traffic [25,000 or greater average daily traffic (ADT) on main roadway or 15,000 or more ADT on any intersecting roadway]. In some cases pretreatment may be necessary.~~

~~5. Alternative Certification for Storm Water Treatment Mitigation.~~

~~In lieu of conducting a detailed BMP plan review to verify Structural or Treatment Control BMP adequacy, the City may, at its discretion, elect to accept a signed certification from a Civil Engineer or a Licensed Architect registered in the State of California, that the plan meets the criteria established herein. Certifying person(s) will have to demonstrate to the City's satisfaction that they have been trained on BMP design for water quality not more than~~

~~two years prior to the signature date. Training conducted by an organization with storm water BMP design expertise (e.g., a University, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association) may be considered qualifying.~~

~~Attachment A~~

~~(Sample Agreement)~~

~~Agreement Regarding Maintenance of Structural or Treatment Control BMPs (Best Management Practices)~~

~~for APN No. \_\_\_\_\_~~

~~\_\_\_\_\_, being the owner of the real property located at \_\_\_\_\_, California, consents and agrees to inspect and maintain annually, prior to October 15 of each year, the Structural or Treatment Control BMPs (such as silt and/or grease traps or detention systems) on the subject property as shown on the improvement plans dated \_\_\_\_\_, on file with the City of \_\_\_\_\_. I agree to forward a letter providing proof of inspection and maintenance to the City of \_\_\_\_\_ Public Works Department prior to October 15 of each year.~~

~~In order to transfer the property to a private or public owner, I shall require the recipient to assume responsibility for maintenance of any Structural or Treatment Control BMPs in the sales or lease agreement for that property. The condition of transfer shall include a provision that the new property owner agrees to forward a letter providing proof of BMP inspection and maintenance to the City of \_\_\_\_\_ Public Works Department prior to October 15 of each year.~~

~~Printed educational materials will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what storm water management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information shall also be required with any subsequent sale of the property.~~

~~I have read the above agreement and understand it.~~

~~\_\_\_\_\_~~

~~Owner~~

~~\_\_\_\_\_~~

~~Date~~

~~(Ord. 2014-01 § 1 (Exh. A), 2014).~~

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<sup>1</sup>—Facilities or a combination of facilities, of a different design than in Section B.3.b.ii, may be permitted if all of the following measures of equivalent effectiveness are demonstrated: 1) equal or greater amount of runoff infiltrated or evapotranspired; 2) equal or lower pollutant concentrations in runoff that is discharged after biofiltration; 3) equal or greater protection against shock loadings and spills; and 4) equal or greater accessibility and ease of inspection and maintenance

<sup>2</sup>Technical guidance for designing bioretention facilities is available from the Central Coast LID Initiative. The guidance includes design specifications and plant lists appropriate for the Central Coast climate. ([http://www.centralcoastlidi.org/Central\\_Coast\\_LIDI/LID\\_Structural\\_BMPs.html](http://www.centralcoastlidi.org/Central_Coast_LIDI/LID_Structural_BMPs.html))

~~<sup>3</sup>—Use either the methodology provided in Part I.D of the December 2009 Technical Guidance on Implementing the Stormwater Runoff Requirements for Federal Projects under Section 438 of the Energy Independence and Security Act, or, rainfall statistics provided by the Central Coast Water Board, whichever produces a more accurate value for rainfall depth.~~

~~<sup>4</sup>Calculate Equivalent Impervious Surface Area using guidance in Attachment E.~~

**CITY OF CARMEL-BY-THE-SEA  
CITY COUNCIL**

**ORDINANCE NO. 2023-007**

**AN ORDINANCE OF THE CITY COUNCIL OF CARMEL-BY-THE-SEA AMENDING THE CARMEL MUNICIPAL CODE (CMC) TITLE 17 (ZONING) BY REPEALING AND REPLACING CHAPTER 17.42 (STORMWATER QUALITY AND UTILITY) AND CHAPTER 17.43 (WATER QUALITY PROTECTION); AND FINDING THE SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the City of Carmel-by-the-Sea currently regulates all stormwater and non-stormwater runoff entering the storm drain system or waterbodies throughout the City under Title 17, Chapter 17.42 and Title 17, Chapter 17.43 of the Municipal Code; and

**WHEREAS**, Chapter 17.42 and Chapter 17.43 was last amended in 2004; and

**WHEREAS**, there have been significant changes in state and regional law affecting stormwater and water quality since Chapter 17.42 and Chapter 17.43 was last amended; and

**WHEREAS**, the work the City does to prevent stormwater pollution is regulated under the jurisdiction of the Central Coast Regional Water Quality Control Board, Region 3, the enforcement arm of the State Water Resources Control Board; and

**WHEREAS**, the State Water Resources Control Board adopted the Phase II Small MS4 General Permit (Water Quality Order No. 2013-0001-DWQ). Since 2013, the State Water Board adopted five amendments to this Permit.; and

**WHEREAS**, the Phase II Small MS4 General Permits require the discharger to develop and implement a Stormwater Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in Section 402(p) of the Clean Water Act. The management programs specify what best management practices (BMPs) will be used to address certain program areas. The program areas include public education and outreach; illicit discharge detection and elimination; construction and post-construction; and good housekeeping for municipal operations; and

**WHEREAS**, the Cities of Carmel-by-the-Sea, Monterey, Del Rey Oaks, Sand City, Seaside, Pacific Grove and the County of Monterey are seven local agencies that have joined to develop and implement a regional storm water program for the Monterey Peninsula and surrounding areas. This group meets monthly to discuss urban runoff issues and implement components of the Monterey Regional Storm Water Management Program (MRSWMP); and

**WHEREAS**, the Central Coast Regional Water Quality Control Board adopted Post Construction Requirements (PCR) for development and re-development projects on July 12, 2013. These requirements were implemented by all agencies in the Region, effective March 6, 2014; and

**WHEREAS**, The City is required to submit an annual report as required by General Permit NO. CAS000004: Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems. The Annual Report describes permit compliance activities performed by the City to implement pollution prevention locally and protect local water quality; and

**WHEREAS**, on November 7, 2023 the City Council held a duly noticed public hearing on the proposed code amendments;

**WHEREAS**, the City determined this ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines; and

**SECTION 1.** CEQA Review. This Ordinance is is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to Section 15061(b)(3) of the CEQA Guidelines, covering activities with no possibility of having a significant effect on the environment. The Ordinance adopts local regulations in a manner that complies with federal and state regulations. The Ordinance does not directly or indirectly authorize or approve any actual changes in the physical environment and, therefore, does not require environmental review.

**SECTION 2.** Repeal and Replacement of Chapter 17.42 and Chapter 17.43. Chapter 17.42 and Chapter 17.43 of Title 17 of the Carmel-by-the-Sea Municipal Code is hereby repealed in its entirety and replaced with the following:

## **Chapter 17.42 STORMWATER QUALITY AND UTILITY**

Sections:

- 17.42.010 Purpose.**
- 17.42.020 Definitions.**
- 17.42.030 Urban Runoff Water Quality and Discharge Management.**
- 17.42.040 Enforcement.**

### **17.42.010 Purpose.**

The provisions of this chapter are intended to ensure the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses and waterbodies in compliance with the federal Clean Water Act, the California Coastal Act, and California Porter-Cologne Water Quality Control Act (Porter-Cologne Act) by reducing pollutants in stormwater discharges to the maximum extent practicable, by prohibiting non-stormwater discharges to the storm drain system, and by managing the

City's storm and surface water drainage system. Requirements of this chapter shall be implemented and enforced in accordance with schedules and requirements under the State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ, National Pollution Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4), as may be amended, and any superseding order, and the Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032, Approving Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, as may be amended, and any superseding order.

#### **17.42.020 Definitions.**

The terms used in this Chapter shall have the following meanings:

- a) Best Management Practices (BMPs) means activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. BMPs include but are not limited to: treatment facilities to remove pollutants from storm water; operating and maintenance procedures; facility management practices to control runoff, spillage or leaks of non-stormwater, wastewater, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures.
- b) California Construction Stormwater General Permit (CGP) means NDPES No. CAS000002, State Water Resources Control Board Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ, and as may be subsequently amended.
- c) California Industrial General Permit (IGP) means the NDPES No. CAS000001, State Water Resources Control Board Order No. 2014-0057-DWQ as amended in 2015 and 2018, as may be subsequently amended.
- d) Illegal Discharge means any direct or indirect discharge to the City's storm drain system that is not composed entirely of stormwater, except discharges pursuant to an NPDES permit, including discharges allowed in the Phase II Permit Attachment C, Area of Special Biological Significance Specific Provisions, and discharges resulting from firefighting activities.
- e) Illicit Connections means either of the following: 1. Any drain or conveyance, whether on the surface or subsurface, that allows an illegal discharge to enter the storm drain system, including but not limited to any conveyances that allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency; or 2. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been permitted and approved by the City.

f) Low Impact Development (LID) is an approach to stormwater management that aims to replicate the site's natural hydrologic balance, using site design strategies to minimize stormwater runoff, integrated with small-scale, distributed structural BMPs that retain stormwater on site via infiltration, evaporation, evapotranspiration, or harvesting for later use.

g) Non-Stormwater Discharge means any discharge to the storm drain system that is not composed entirely of storm water or that contains any pollutant.

h) Phase II Permit means the State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ National Pollution Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4), as may be subsequently amended.

i) Pollutant means anything that causes or contributes to water pollution, including but not limited to paints, varnishes, and solvents; oil and other automotive fluids; chemicals in dust from automotive brake pads and tires; non-hazardous liquid and solid wastes; green waste and other yard waste; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations that may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and waste; fecal coliform and other pathogens in sewage or other wastewater; dissolved and particulate metals; animal waste; waste and discharges that result from constructing a building or structure (including but not limited to sediment, slurries, and concrete rinsates); and noxious or offensive matter of any kind that may be discharged into the storm drain system or waterbodies.

j) Storm Drain System means any publicly-owned facilities operated by the City by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, storm drain pipes, pumping facilities, stormwater retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures that are within the City.

#### **17.42.030 Urban Runoff Water Quality and Discharge Management.**

A. Applicability. This chapter shall apply to all stormwater and non-stormwater runoff entering the storm drain system generated on any developed and undeveloped lands within the City.

#### **B. Administration.**

1. Responsibility for Administration. The Public Works Director shall administer, implement, and enforce the provisions of this section. Any powers granted to or duties of the Public Works Director may be delegated in writing by the Public Works Director to persons or entities acting in the beneficial interest of or in the employ of the City.



2. Regulatory Consistency. This section shall be construed to ensure consistency with the requirements of the Clean Water Act, Porter-Cologne Act, California Coastal Act, Phase II Permit, California Industrial General Permit (IGP), California Construction Stormwater General Permit (CGP) and statutes and regulations that amend or supplement those Acts and permits.

C. Discharge Prohibitions.

1. General Prohibition. No person shall discharge or cause to be discharged any pollutants or waters containing any pollutants into the municipal storm drain system or watercourses, or any materials that may cause or contribute to a violation of applicable water quality standards. Examples of prohibited discharges or illegal connections to the storm drain system include, but are not limited to:

- a. Water from the cleaning of gas stations, vehicle service garages, or other types of vehicle service facilities;
- b. Water, cleansers, or solvents from the cleaning of machinery or equipment, and other such commercial and industrial activities;
- c. Water from the washing or rinsing of vehicles, that contains soap, detergents, solvents, or other cleaners;
- d. Water from the washing or rinsing of vehicles, with or without soap, from auto body repair shops, including water from the cleaning or rinsing of vehicle engines, undercarriages, or auto parts;
- e. Automotive fluids;
- f. Wash Water from floor mat and hood cleaning at food service facilities;
- g. Food and kitchen cleaning water from food service facilities;
- h. Grease, food, or wash water from food or kitchen service facilities, or mobile food vendors;
- i. Leakage from dumpsters or other trash containers;
- j. Water from the cleaning or rinsing of garbage dumpster areas and areas where garbage is stored or contained;
- k. Water from pressure washing, steam cleaning, and hand scrubbing of sidewalks, gutters, plazas, alleyways, outdoor eating areas, steps, building exteriors, walls, driveways, and other outdoor surfaces;

l. Wastewater or cleaning fluids from commercial cleaning operations such as carpet and mat cleaning, pet washing, and vehicle detailing;

m. Swimming pool and spa water;

n. Wash out from concrete trucks, or ready-mix concrete washout;

o. Construction debris and fluids, such as, but not limited to, paint, dirt or sediment, chemical products, construction waste, rinse or wash waters; and

p. Sewage.

The commencement, conduct or continuance of any non-stormwater discharge to the storm drain system is prohibited, except for the following.

a. Discharges that are allowed in Attachment C, Area of Special Biological Significance Specific Provisions, of the Phase II Permit.

b. Any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered by the State of California or the U.S. Environmental Protection Agency; provided that 1) the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations; and 2) written approval has been granted by the City for any discharge to the storm drain system.

c. Discharges authorized by a written exemption by the City, obtained following written concurrence of the Regional Water Quality Control Board, for specific non-stormwater discharges which are not a source of pollutants to the storm drain system.

2. Illicit Connections. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

a. The Public Works Director may require by written notice that a person responsible for an illicit connection to the storm drain system comply with the requirements of this section to eliminate or secure approval for the connection by a specified date.

b. If, subsequent to eliminating a connection found to be in violation of this section, the responsible person can demonstrate that an illegal discharge will no longer occur, the person may request City approval to reconnect. The reconnection or reinstallation of the connection shall be at the expense of the responsible person.

3. Waste Disposal. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained any liquids, powders, refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that they may cause or contribute to any pollutant entering into the storm drain system or any watercourse. Wastes deposited in waste receptacles designated for the purposes of collection are not subject to this prohibition.

4. Discharges in Violation of Permits. Any person subject to an industrial or construction activity NPDES Storm Water Discharge Permit shall comply with all provisions of the permit. Proof of compliance with the permit may be required in a form acceptable to the Public Works Director prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

#### D. Regulations and Requirements.

##### 1. Prevention, Control, and Reduction of Stormwater Pollutants.

a. Development. The City requires the use of BMPs to control the volume, rate, and potential pollutant load of stormwater runoff from new development and redevelopment projects to minimize the generation, transport and discharge of pollutants in stormwater runoff, and to minimize adverse impacts on aquatic environments. All development shall comply with applicable BMP requirements and standards for such development set forth in the Phase II Permit; the California Regional Water Quality Control Board Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, as adopted by the California Regional Water Quality Control Board by Resolution No. R3-2013-0032; the City's Standard Operating Guidance 17-07 Private Stormwater Drainage Systems (SOG 17-07); and the Monterey Regional Stormwater Management Program (MRSWMP) Stormwater Technical Guide for Low Impact Development (LID). All development shall be designed consistent with such standards and guidance. Applicants shall also ensure that development projects are compliant with applicable local, state, and federal laws and regulatory permit authorities, including U.S. Army Corps of Engineers, California Coastal Commission, Regional Water Quality Control Board, State Water Resources Control Board, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Association (NOAA) Monterey Bay National Marine Sanctuary, and in conformance with Low Impact Development site assessment and design standards of the Phase II Permit and California Regional Water Quality Control Board Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region.

b. Construction Sites. BMPs to reduce pollutants in any storm water runoff activities shall be incorporated in any land use entitlement and/or construction or building-related permit. The owner and developer shall comply with the terms, provisions, and conditions of such land use entitlements and/or building permits as required by the City and as required by the Phase II Permit as amended thereto, including, but not limited to,

the requirement to submit, implement, and maintain site-specific construction BMPs as applicable for erosion and sediment control, soil stabilization, source controls, materials and stockpile management, dewatering, and similar pollution prevention measures to prevent dumping or illegal discharges during construction into the storm drain system.

Any person engaged in activities or operations, or owning facilities or property that may result in pollutants entering stormwater, the storm drain system, or any watercourse, shall take all necessary measures to prevent illicit discharges.

2. **Watercourse Protection.** Every person owning property through which a watercourse passes, or the person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, stagnant pools of water and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. The owner or lessee shall not remove healthy bank vegetation beyond that actually necessary for maintenance, nor remove said vegetation in such a manner as to increase the vulnerability of the watercourse to erosion. The property owner shall be responsible for maintaining and stabilizing that portion of the watercourse that is within their property lines to protect against erosion and degradation of the watercourse on site and downstream.

3. **Remediation.** Whenever the Public Works Director finds that a discharge of pollutants into the storm drain system or any watercourse is taking place, has occurred, or is likely to result absent remediation, the Public Works Director shall issue written notice to the owner of the property and/or the responsible person requiring that the pollution be remediated and the affected property restored within a specified time.

#### **17.42.040 Enforcement.**

##### **A. Inspection.**

1. **Authority to Inspect.** Whenever necessary to conduct an inspection to enforce any provision of this section, or whenever the Public Works Director has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this chapter, the Director may request to enter such premises at all reasonable times to inspect the same and to inspect and copy records related to stormwater compliance. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

2. **Authority to Sample, Establish Sampling Devices, and Test.** During any inspection in compliance with this section, the Public Works Director may take any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to record site activities.

**B. Enforcement.**

1. Violations Subject to Criminal Penalty. Any violation of this chapter shall be a misdemeanor and shall be subject to penalty in accordance with Chapter 1.16. Such violations may also violate the Clean Water Act, the California Coastal Act, and/or the Porter-Cologne Act and may be subject to penalty under state and federal law including civil and criminal penalties.

2. Violations of this chapter shall also be subject to administrative civil penalties in accordance with Chapter 18.04.

3. Violations of this chapter are declared a public nuisance and shall be subject to abatement in accordance with Chapter 15.57. Nothing in this chapter shall limit the authority of the City to undertake emergency or summary abatement in the manner authorized by law.

### **Chapter 17.43 WATER QUALITY PROTECTION ORDINANCE**

**Sections:**

- 17.43.010 Purpose and Intent.**
- 17.43.020 Definitions.**
- 17.43.030 Applicability and Stormwater Management Requirements.**
- 17.43.040 Stormwater Control Requirements.**
- 17.43.050 BMP Maintenance and Conditions of Transfer.**

**17.43.010 Purpose and Intent.**

A. The purpose of this chapter is to protect and enhance coastal waters within the City of Carmel in accordance with the policies of the City's Local Coastal Program (LCP; Sections O5-45 and O5-46), Sections 30230, 30231, 30232 and 30240 of the California Coastal Act, the State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ (and subsequent new orders and/or amendments) National Pollution Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) (hereafter Phase II Permit), and the Central Coast Regional Water Quality Control Board (Regional Board) Resolution No. R3-2013-0032 (and subsequent new orders and/or amendments) Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region (Central Coast PCRs). The purpose of the chapter is to ensure that permitted development shall be sited and designed to conserve natural drainage features and vegetation, minimize the introduction of pollutants into coastal waters to the maximum extent practicable, limit the discharge of stormwater runoff, and protect the overall quality of coastal waters and resources.

**17.43.020 Definitions.**

The terms used in this Chapter shall have the following meanings:

- a) Best Management Practices (BMPs) means activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. BMPs include but are not limited to: treatment facilities to remove pollutants from storm water; operating and maintenance procedures; facility management practices to control: runoff, spillage or leaks of non-storm water, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions that the Public Works Director or designee determines appropriate for the control of pollutants.
- b) California Construction Stormwater General Permit (CGP) means the NDPS No. CAS000002, State Water Resources Control Board Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ, and as may be subsequently amended.
- c) California Industrial General Permit (IGP) means the NDPS No. CAS000001, State Water Resources Control Board Order No. 2014-0057-DWQ as amended in 2015 and 2018, as may be subsequently amended.
- d) Central Coast PCRs means the California Regional Water Quality Control Board Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, as adopted by the California Regional Water Quality Control Board by Resolution No. R3-2013-0032, as may be subsequently amended.
- e) Environmentally Sensitive Habitat Areas (ESHA) means any areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.
- f) Low Impact Development (LID) means systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration, or use of stormwater in order to protect water quality and associated aquatic habitat.
- g) Phase II Permit means the State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ National Pollution Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4), as may be subsequently amended from time to time.
- h) Pollutant means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues

that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete rinsates); and noxious or offensive matter of any kind.

i) Storm Drain System means any publicly-owned facilities operated by the City by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the City.

j) Stormwater Control Plan (SWCP). A plan, developed by a development project applicant whose project is subject to the Central Coast PCRs, detailing how the project will achieve compliance with the applicable Post-Construction Stormwater Management Requirements.

#### **17.43.020 Applicability and Stormwater Management Requirements.**

A. All properties within the City of Carmel are located within the coastal zone as defined in the California Coastal Act and are subject to the policies, standards and provisions contained in the certified LCP. Where any standard provided in this chapter conflicts with any other policy or standard contained in the City's General Plan, Zoning Code or other City-adopted plan, resolution or ordinance not included in the certified Carmel LCP, and it is not possible for the development to comply with both the Carmel LCP and other plans, resolutions or ordinances, the policies, standards or provisions of the LCP shall take precedence consistent with the hierarchy established in CMC 17.02.090.

B. All projects defined as Regulated Projects in the Central Coast PCRs shall comply with the Stormwater Technical Guide for Low Impact Development (LID) (Technical Guide for LID) and develop a Stormwater Control Plan (SWCP). Development projects listed in Section 17.43.040 subsection (B) shall also comply with the Technical Guide for LID.

C. All private development projects shall comply with City Standard Operating Guidance 17-07 Private Stormwater Drainage Systems (SOG 17-07).

#### **17.43.040 Stormwater Control Requirements.**

A. The following projects shall submit an erosion and sediment control plan, to be approved by the Public Works Director or designee, as part of any building permit application:

Projects that (a) include 250 square feet or more of new floor area, or (b) disturb 500 square feet or more of soil, or (c) include any excavation whatsoever, or (d) disturb more than 50 cubic yards of soil.

The erosion and sediment control plan shall include controls on grading (i.e., timing and amounts), BMPs for staging, storage, and disposal of construction materials, design

specification of erosion and sediment control BMPs, and landscaping/revegetation of graded or disturbed areas.

Such projects shall also be subject to a post-construction phase drainage plan, to be approved by the Public Works Director or designee, as part of any building permit application, detailing how stormwater and polluted runoff will be managed or mitigated. The drainage plan shall demonstrate how runoff will be diverted from impermeable surfaces into permeable areas of the property in a nonerosive manner and filter and infiltrate stormwater prior to conveyance off-site. For development which does not mitigate impacts to water quality only using site design and source control BMPs and for certain special categories of development (see subsection (C) of this section) as defined by the LCP, the drainage plan will be required to demonstrate how treatment control (or structural) BMPs will be used (in addition to site design and source control BMPs) to minimize the discharge of polluted runoff from the project and shall be certified by a California Registered Civil Engineer.

B. Construction projects with 1.0 acre or greater of land disturbance shall comply with all requirement under the State Water Resources Control Board Construction Stormwater General Permit (Order 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ and subsequent new orders and/or amendments) in addition to an erosion and sediment control plan.

C. Special Categories of Development. A SWCP shall be required for Regulated Projects as defined by the Phase II Permit that include pollutant-generating activities.

The SWCP shall include standard permanent and/or operation source control measures for the following pollutant generating activities and sources, designed consistent with recommendations from the California Stormwater Quality Association (CASQA) Stormwater BMP Handbook for New Development and Redevelopment:

- a) Accidental spills or leaks
- (b) Interior floor drains
- (c) Parking/storage areas and maintenance
- (d) Indoor and structural pest control
- (e) Landscape/outdoor pesticide use
- (f) Pools, spas, ponds, decorative fountains, and other water features
- (g) Restaurants, grocery stores, and other food service operations
- (h) Refuse areas



- (i) Industrial processes
- (j) Outdoor storage of equipment or materials
- (k) Vehicle and equipment cleaning
- (l) Vehicle and equipment repair and maintenance
- (m) Fuel dispensing areas
- (n) Loading docks
- (o) Fire sprinkler test water
- (p) Drain or wash water from boiler drain lines, condensate drain lines, rooftop equipment, drainage sumps, and other sources
- (q) Unauthorized non-storm water discharges
- (r) Building and grounds maintenance

**17.43.040 BMP Maintenance and Conditions of Transfer.**

All projects defined as Regulated Projects by the Central Coast PCRs that are required to install structural and treatment control BMPs to meet the requirements of the Central Coast PCRs shall be subject to legal restrictions to ensure the ongoing maintenance of structural and treatment control BMPs required for the project, pursuant to one of the following:

- A. Requirements in conditions, covenants, and restrictions (CCRs) for residential properties assigning maintenance responsibilities to the homeowners' association for maintenance of the structural and treatment control BMPs; or
- B. Deed restriction, filed with the County Recorder, requiring the present and subsequent owners to assume legal responsibility; or
- C. Any other legally enforceable agreement that assigns responsibility for the maintenance of post-construction structural and treatment control BMPs.

All documents required under this section shall be in a form approved by the City Attorney and be executed by the applicant as a condition of project approval.

**SECTION 3.** Effective Date. This Ordinance shall take effect 30 days after its adoption by the City Council of the City of Carmel-by-the-Sea and after approval by the California Coastal Commission.

**SECTION 4.** Severability. If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining sections, subsections, provisions, sentences, clauses, phrases or words of this Ordinance.

**INTRODUCED** at a Regular City Council Meeting on November 7, 2023.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 5th day of December, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

\_\_\_\_\_  
Dave Potter, Mayor

\_\_\_\_\_  
Nova Romero, MMC, City Clerk



## **CITY OF CARMEL-BY-THE-SEA PUBLIC IMPROVEMENT AUTHORITY AGENDA**

Mayor Dave Potter, Council Members Jeff Baron,  
Karen Ferlito, Bobby Richards, and Carrie Theis  
Contact: 831.620.2000 [www.ci.carmel.ca.us](http://www.ci.carmel.ca.us)

All meetings are held in the City Council Chambers  
East Side of Monte Verde Street  
Between Ocean and 7th Avenues

### **PUBLIC IMPROVEMENT AUTHORITY SPECIAL MEETING**

**Tuesday, November 7, 2023**

**4:30 PM**

**The PIA Special Meeting will take place immediately following the Regular City Council Meeting**

**HYBRID MEETING** - This meeting will be held in person and via teleconference. The public is welcome to attend the meeting in person or remotely via zoom, however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, the livestream on YouTube is online here:

<https://www.youtube.com/@CityofCarmelbytheSea/streams>

To participate in the meeting via Zoom, copy and paste this link into your browser:  
<https://ci-carmel-ca-us.zoom.us/j/86721067021> Meeting ID: 867 210 67021 Passcode: 022734 Dial in: (253) 215-8782

**PUBLIC APPEARANCES** - Limited to items on the agenda

### **CONSENT AGENDA**

Items on the consent agenda are routine in nature and do not require discussion or independent action. Members of the Council, Authority, Board or Commission or the public may ask that any items be considered individually for purposes of Council, Authority, Board or Commission discussion and/ or for public comment. Unless that is done, one motion may be used to adopt all recommended actions.

e used to adopt all recommended actions.

1. Resolution PIA 2023-001, authorizing the Public Improvement Authority Chairman to execute an Easement Deed granting a 10-foot wide easement in the Vista Lobos parking lot to Pacific Gas and Electric for installation of electrical facilities to power City EV charging stations

### **ADJOURNMENT**

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, outside the Park Branch Library, NE corner of Mission Street and 6th Avenue, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage <http://www.ci.carmel.ca.us> in accordance with

applicable legal requirements.

**SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA**

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this agenda, received after the posting of the agenda will be available for public review at City Hall located on Monte Verde Street between Ocean and Seventh Avenues during regular business hours.

**SPECIAL NOTICES TO PUBLIC**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).



## CITY OF CARMEL-BY-THE-SEA PUBLIC IMPROVEMENT AUTHORITY Staff Report

November 7, 2023  
CONSENT AGENDA

**TO:** Honorable Chair and Public Improvement Authority Directors

**SUBMITTED BY:** Robert Harary, P.E, Director of Public Works

**APPROVED BY:** Chip Rerig, City Administrator

**SUBJECT:** Resolution PIA 2023-001, authorizing the Public Improvement Authority Chairman to execute an Easement Deed granting a 10-foot wide easement in the Vista Lobos parking lot to Pacific Gas and Electric for installation of electrical facilities to power City EV charging stations

### RECOMMENDATION:

Adopt Resolution PIA 2023-001 (**Attachment #1**), authorizing the Public Improvement Authority Chairman to execute an Easement Deed granting a 10-foot wide easement in the Vista Lobos parking lot to Pacific Gas and Electric (PG&E) for installation of electrical facilities to power City EV charging stations.

### BACKGROUND/SUMMARY:

On December 8, 1988, the City Council adopted Council Resolution 88-141 in which the City of Carmel-by-the-Sea and the City of Carmel-by-the-Sea Parking Authority entered into a Joint Exercise of Powers Agreement to establish the Carmel-by-the-Sea Public Improvement Authority (Authority). On the same date, the Authority adopted Authority Resolution 88-01 for financing the acquisition of certain real property to be used for public purposes (the Vista Lobos parking lot), for a purchase price of \$2,542,000. Both Resolutions are included for reference as **Attachment #2**.

In December 2022, the City Administrator executed a contract with PG&E to install a new transformer and electrical equipment, valued at \$200,000 but at no cost to the City, to provide discounted power to new EV charging stations along the southern row of the Vista Lobos parking lot. As planned, two new, dual charging stations, plus one new high capacity station for the new electric street sweeper, will be installed. This plan would also reroute the existing, dual capacity EV charging station that is currently powered from the near-capacity electrical panel for the Vista Lobos building, and benefit from the discounted power rates via the new transformer system.

In June 2023, Council adopted Resolution 2023-067 approving the carryover of 25 Fiscal Year (FY) 2022/23 Capital Improvement Projects into the FY 2023/24 Capital Improvement Program. One such project is the Electrical Panel Upgrades for Vista Lobos, City Hall, Fire Station, and other facilities with an initial budget of \$75,000. These panels are at or near capacity, and in some cases, circuits trip with additional loads.

In July 2023, Council awarded a Professional Services Agreement with Advance Design Solutions to provide electrical engineering services for the installation of new EV charging stations at the Vista Lobos parking lot and upgrades/replacements of existing electrical panels at several other facilities. The design work is progressing on schedule and budget at this time.

In order for PG&E to proceed with installation of their transformer and electrical equipment, they are requiring the property owner, the Authority, to execute an Easement Deed as shown in **Attachment #3**. This would grant a 10-foot wide permanent easement near the southeast corner of the parking lot to PG&E for installation, inspections, and repairs of their equipment. The installation of these electric facilities is critical to allow the City to install additional EV charging stations at the Vista Lobos parking lot.

#### **FISCAL IMPACT:**

There is no cost to execute this Easement Deed. Design of the Vista Lobos EV charging stations will be charged to the Capital Projects Account #301-311-00-43008.

#### **PRIOR CITY COUNCIL ACTION:**

In December 1988, the City Council adopted Council Resolution 88-141 authorizing the establishment of the Carmel-by-the-Sea Public Improvement Authority, and the Authority adopted Authority Resolution 88-01 for financing the acquisition of the Vista Lobos parking lot.

In June 2023, Council adopted Resolution 2023-067 approving the carryover of 25 FY 2022/23 Capital Improvement Projects, including the Electrical Panel Upgrades for Vista Lobos. In July 2023, Council awarded an Agreement with Advance Design Solutions for electrical engineering services for the installation of EV charging stations at the Vista Lobos parking lot.

#### **ATTACHMENTS:**

Attachment #1 - PIA Resolution 2023-001

Attachment #2 - Council Resolution 88-141 and Authority Resolution 88-01

Attachment #3 - Easement Deed to PG&E for Vista Lobos EV Charging Stations

**CITY OF CARMEL-BY-THE-SEA  
PUBLIC IMPROVEMENT AUTHORITY**

**RESOLUTION NO. PIA 2023-001**

**A RESOLUTION OF THE CARMEL-BY-THE-SEA PUBLIC IMPROVEMENT AUTHORITY  
AUTHORIZING THE PUBLIC IMPROVEMENT AUTHORITY CHAIRMAN TO EXECUTE AN  
EASEMENT DEED GRANTING A 10-FOOT WIDE EASEMENT IN THE VISTA LOBOS  
PARKING LOT TO PACIFIC GAS AND ELECTRIC FOR INSTALLATION OF ELECTRICAL  
FACILITIES TO POWER CITY EV CHARGING STATIONS**

WHEREAS, on December 8, 1988, the City of Carmel-by-the-Sea and the City of Carmel-by-the-Sea Parking Authority entered into a Joint Exercise of Powers Agreement to establish the Carmel-by-the-Sea Public Improvement Authority (Authority); and

WHEREAS, on the same date, the Authority adopted Authority Resolution 88-01 for financing the acquisition of the Vista Lobos parking lot; and

WHEREAS, in December 2022, the City Administrator executed a contract with Pacific Gas and Electric (PG&E) to install a new transformer and electrical equipment, valued at \$200,000 but at no cost to the City, to provide discounted power to new EV charging stations along the southern row of the Vista Lobos parking lot; and

WHEREAS, in June 2023, Council adopted Resolution 2023-067 approving the carryover of 25 Fiscal Year (FY) 2022/23 Capital Improvement Projects into the FY 2023/24 Capital Improvement Program, including the Electrical Panel Upgrades Project for Vista Lobos and other facilities; and

WHEREAS, in order for PG&E to proceed with installation of the transformer and electrical equipment required for the additional EV charging stations, the Authority, as property owner, must execute an Easement Deed granting to PG&E a 10-foot wide easement near the southeastern corner of the Vista Lobos parking lot.

**NOW THEREFORE, BE IT RESOLVED THAT THE CARMEL-BY-THE-SEA PUBLIC  
IMPROVEMENT AUTHORITY DOES HEREBY:**

Authorize the Carmel-by-the-Sea Public Improvement Authority Chairman to execute an Easement Deed granting a 10-foot wide easement in the Vista Lobos parking lot to Pacific Gas and Electric for installation of electrical facilities to power City EV charging stations.

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE CARMEL-BY-THE-SEA PUBLIC IMPROVEMENT AUTHORITY this 7th day of November, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

---

Dave Potter  
Chair

---

Nova Romero, MMC  
Authority Secretary



**RESOLUTION NO. 88-141**

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CARMEL-BY-THE-SEA AUTHORIZING FORMATION  
OF JOINT POWERS AUTHORITY WITH THE PARKING AUTHORITY  
OF THE CITY OF CARMEL-BY-THE-SEA, AUTHORIZING  
ACQUISITION OF PROPERTY BY SUCH JOINT POWERS AUTHORITY  
AND LEASE PURCHASE OF SUCH PROPERTY BY THE CITY,  
APPROVING RELATED LEASE AGREEMENT, TRUST AGREEMENT  
AND OFFICIAL STATEMENT, AND AUTHORIZING SALE OF  
\$950,000 PRINCIPAL AMOUNT OF CERTIFICATES  
OF PARTICIPATION, APPOINTING SPECIAL COUNSEL  
AND OFFICIAL ACTIONS**

**WHEREAS**, the City and the Parking Authority of the City of Carmel-By-The-Sea (the "Parking Authority") are authorized pursuant to the laws of the State of California to enter into an agreement for the joint exercise of powers, and the City and the Parking Authority wish to enter into that certain Joint Exercise of Powers Agreement dated December 8, 1988, (the "Joint Exercise of Powers Agreement") for the purpose of forming the City of Carmel-By-The-Sea Public Improvement Authority (the "Authority") as a public body; and

**WHEREAS**, the City wishes at this time to finance the acquisition of certain real property to be used for public purposes of the City (the "Property"), and to that end the City has requested the Authority to enter into an Installment Sale Agreement dated as of December 1, 1988, (the "Installment Sale Agreement") by and between the Authority and Thomas H. Handley (the "Seller"), pursuant to which the Authority will agree to purchase the Property from the Seller for a purchase price of \$2,542,000 to be paid in the amount of \$500,000 in cash payable upon the purchase of such property (the "Cash Payment") with the remainder of such purchase price to be financed by the payment of installment payments payable by the Authority to the Seller (the "Installment Payments") pursuant to the Installment Sale Agreement; and

**WHEREAS**, in order to provide funds to pay the Cash Payment and other costs related to the acquisition and improvement of the Property and related off-site improvements, the Authority proposes to lease the Property to the City pursuant to the Lease Agreement dated as of December 1, 1988, (the "Lease Agreement") and to enter into the Trust Agreement dated as of December 1, 1988, (the "Trust Agreement") by and among the City, the Authority and The Bank of California as trustee (the "Trustee"), under which the Trustee agrees to execute and deliver \$950,000 principal amount of Certificates of Participation (the "Certificates of Participation") to finance the Cash Payment and other related costs; and

**WHEREAS**, the firm of Dinkelspiel Belmont & Co., as financial adviser to the City (the "Financial Adviser"), is assisting the City and the Authority in the sale of the Certificates to a prospective purchaser, and in that connection said firm has presented to the City a form of Purchase Agreement to be entered into among the City, the Authority and such purchaser (the "Purchase Agreement"); and

**WHEREAS**, the City Council wishes at this time to authorize all proceedings relating to such financing of the Property, the sale of the Certificates of Participation and the execution and delivery of all agreements and documents relating thereto;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Carmel-By-The-Sea as follows:

**Section 1. Formation of Joint Powers Authority.** The City Council hereby authorizes the officers and staff members of the City to assist in the organization of a joint powers authority between the City and the Parking Authority, to be known as the City of Carmel-By-The-Sea Public Improvement Authority (the "Authority"). The City Council hereby authorizes and directs the Mayor to execute and the City Clerk to attest the Joint Exercise of Powers Agreement forming the Authority, in substantially the form on file with the City Clerk together with any changes therein deemed advisable by the City Administrator.

**Section 2. Lease of Property From Authority; Approval of Lease Agreement.** The City Council hereby approves the lease purchase of the Property by the City from the Authority pursuant to and in accordance with the terms and provisions of the Lease Agreement in substantially the form on file with the City Clerk together with any changes therein or additions thereto deemed advisable by the City Administrator. The City Council hereby authorizes and directs the Mayor to execute, and the City Clerk to attest and affix the seal of the City to, said form of the Lease Agreement for and in the name of the City. The schedule of Lease Payments set forth in Exhibit B-1 to the Lease Agreement shall conform to the schedule of principal and interest payments represented by the Certificates of Participation, determined pursuant to Section 4 hereof.

**Section 3. Trust Agreement.** The City Council hereby approves the Trust Agreement in substantially the form on file with the City Clerk together with any changes therein or additions thereto deemed advisable by the City Administrator. The City Council hereby authorizes and directs the Mayor to execute, and the City Clerk to attest and affix the seal of the City to, said form of the Trust Agreement for and in the name of the City.

**Section 4. Sale of Certificates of Participation.** The City Council hereby approves the sale of the Certificates of Participation by negotiation with a purchaser, which may be any underwriting firm, bank or other financial institution or investor, pursuant to that certain Purchase Agreement in substantially the form on file with the City Clerk, with any changes therein or additions thereto deemed advisable by the City Administrator, whose execution of said agreement shall be conclusive evidence of his approval of any such changes or additions. The Certificates of Participation shall be substantially as described in the form of Preliminary Official Statement on file with the City Clerk and hereinafter approved. The City Administrator is hereby authorized and directed for and in the name and on behalf of the City to approve the selection of any such purchaser and to execute and deliver said form of Purchase Agreement upon submission of a proposal by said purchaser to acquire the Certificates of Participation, which proposal is acceptable to the City Administrator, provided, however, that the purchase price to be paid for the Certificates of Participation shall be at least ninety-seven and one-half percent (97-1/2%) of the par value thereof, and the weighted average rate of interest represented by the Certificates of Participation shall not exceed ten

percent (10%) per annum. The City Administrator is hereby delegated the authority to approve the terms of any such offer with respect to the Certificates of Participation, provided that such offer is in form and substance acceptable and is within the limitations set forth in this Resolution.

**Section 5. Official Statement.** The City Council hereby approves the preliminary Official Statement describing the financing described herein, in the form submitted by the Financial Adviser and on file with the City Clerk, together with any changes therein or additions thereto deemed advisable by the City Administrator, whose execution of the final Official Statement shall be conclusive evidence of his approval of any such changes or additions. The City Council approves and authorizes the distribution by the Financial Adviser of said preliminary Official Statement to prospective purchasers of the Certificates of Participation, and authorizes and directs the City Administrator to execute the final form of the Official Statement on behalf of the City.

**Section 6. Engagement of Special Counsel.** In connection with the delivery of the Certificates of Participation and the documents relating thereto, the City Council hereby authorizes the engagement of Jones Hall Hill & White, A Professional Law Corporation, to act as special legal counsel to the City upon the terms and conditions set forth in the proposed form of agreement between the City and such firm in the form on file with the City Clerk. The City Administrator is hereby authorized and directed to execute said agreement on behalf of the City.

**Section 7. Official Actions.** The Mayor, the City Administrator, the City Clerk, the Director of Administrative Services and the City Attorney are each authorized and directed in the name and on behalf of the City to make any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they or any of them might deem necessary or appropriate in order to consummate any of the transactions contemplated by the documents approved pursuant to this Resolution. Whenever in this resolution any officer of the City is authorized to execute or attest any document or take any action, such execution, attestation or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer shall be absent or unavailable.

**Section 8. Effective Date.** This Resolution shall take effect from and after the date of its passage and adoption.

PASSED, APPROVED AND ADOPTED this 8th day of December, 1988, by the following vote:

AYES: Fischer, White, Wright, Grace  
 NOES: Laiolo  
 ABSENT: None

  
 Mayor  
 JEAN GRACE

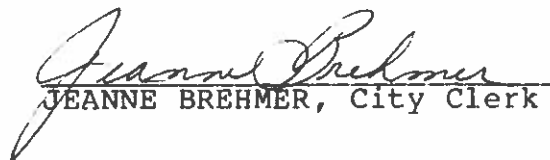
Attest:

By:   
 City Clerk  
 JEANNE BREHMER

CERTIFICATION OF CITY CLERK

I, JEANNE BREHMER, the undersigned, City Clerk of the City of Carmel-by-the-Sea, County of Monterey, State of California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 88-141 adopted by the City Council of the City of Carmel-by-the-Sea at its Special Meeting of 8 December 1988.

DATED: 27 December 1988

  
JEANNE BREHMER, City Clerk

**RESOLUTION NO. 88-01**

**RESOLUTION OF THE CITY OF CARMEL-BY-THE-SEA  
PUBLIC IMPROVEMENT AUTHORITY AUTHORIZING  
ACQUISITION OF PROPERTY AND LEASE OF SUCH PROPERTY  
TO THE CITY OF CARMEL-BY-THE SEA, APPROVING RELATED  
LEASE AGREEMENT, TRUST AGREEMENT, ASSIGNMENT AGREEMENT  
AND OFFICIAL STATEMENT, AND AUTHORIZING SALE OF  
\$950,000 PRINCIPAL AMOUNT OF CERTIFICATES  
OF PARTICIPATION AND OFFICIAL ACTIONS**

**WHEREAS**, the City of Carmel-By-The-Sea (the "City") and the Parking Authority of the City of Carmel-By-The-Sea (the "Parking Authority") have established the City of Carmel-By-The-Sea Public Improvement Authority (the "Authority") as a public body; and

**WHEREAS**, the City wishes at this time to finance the acquisition of certain real property to be used for public purposes of the City (the "Property"), and to that end the City has requested the Authority to enter into an Installment Sale Agreement dated as of December 1, 1988, (the "Installment Sale Agreement") by and between the Authority and Thomas H. Handley (the "Seller"), pursuant to which the Authority will agree to purchase the Property from the Seller for a purchase price of \$2,542,000 to be paid in the amount of \$500,000 in cash payable upon the purchase of such property (the "Cash Payment") with the remainder of such purchase price to be financed by the payment of installment payments payable by the Authority to the Seller (the "Installment Payments") pursuant to the Installment Sale Agreement; and

**WHEREAS**, in order to provide funds to pay the Cash Payment and other costs related to the acquisition and improvement of the Property, the Authority proposes to lease the Property to the City pursuant to the Lease Agreement dated as of December 1, 1988, (the "Lease Agreement") and to assign certain of its rights under the Lease Agreement to The Bank of California as trustee (the "Trustee") pursuant to the Assignment Agreement dated as of December 1, 1988, by and between the Authority and the Trustee (the "Assignment Agreement"); and

**WHEREAS**, for such purpose the Authority proposes to enter into the Trust Agreement dated as of December 1, 1988, (the "Trust Agreement") by and among the City, the Authority and The Bank of California as trustee (the "Trustee"), under which the Trustee agrees to execute and deliver \$950,000 principal amount of Certificates of Participation (the "Certificates of Participation") to finance the Cash Payment and other related costs; and

**WHEREAS**, the firm of Dinkelspiel Belmont & Co., as financial adviser to the City (the "Financial Adviser"), is assisting the City and the Authority in the sale of the Certificates to a prospective purchaser, and in that connection said firm has presented to the Authority a form of Purchase Agreement to be entered into among the City, the Authority and such purchaser (the "Purchase Agreement"); and

**WHEREAS**, the Authority wishes at this time to authorize all proceedings relating to such financing of the Property, the sale of the Certificates of Participation and the execution and delivery of all agreements and documents relating thereto;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City of Carmel-By-The-Sea Public Improvement Authority as follows:

**Section 1. Acquisition of Property from Seller; Approval of Installment Sale Agreement.** The Board of Directors hereby approves the acquisition of the Property by the Authority from the Seller pursuant to and in accordance with the terms and provisions of the Installment Sale Agreement in substantially the form on file with the Secretary together with any changes therein or additions thereto deemed advisable by the Executive Director. The Board of Directors hereby authorizes and directs the Chairman to execute, and the Secretary to attest and affix the seal of the Authority to, said form of the Acquisition Agreement for and in the name of the Authority.

**Section 2. Lease of Property to City; Approval of Lease Agreement.** The Board of Directors hereby approves the lease of the Property by the Authority to the City pursuant to and in accordance with the terms and provisions of the Lease Agreement in substantially the form on file with the Secretary together with any changes therein or additions thereto deemed advisable by the Executive Director. The Board of Directors hereby authorizes and directs the Chairman to execute, and the Secretary to attest and affix the seal of the Authority to, said form of the Lease Agreement for and in the name of the Authority. The schedule of Lease Payments set forth in Exhibit B-1 to the Lease Agreement shall conform to the schedule of principal and interest payments represented by the Certificates of Participation, determined pursuant to Section 5 hereof.

**Section 3. Assignment Agreement.** The Board of Directors hereby approves the Assignment Agreement in substantially the form on file with the Secretary together with any changes therein or additions thereto deemed advisable by the Executive Director. The Board of Directors hereby authorizes and directs the Chairman to execute, and the Secretary to attest and affix the seal of the Authority to, said form of the Assignment Agreement for and in the name of the Authority.

**Section 4. Trust Agreement.** The Board of Directors hereby approves the Trust Agreement in substantially the form on file with the Secretary together with any changes therein or additions thereto deemed advisable by the Executive Director. The Board of Directors hereby authorizes and directs the Chairman to execute, and the Secretary to attest and affix the seal of the Authority to, said form of the Trust Agreement for and in the name of the Authority.

**Section 5. Sale of Certificates of Participation.** The Board of Directors hereby approves the sale of the Certificates of Participation by negotiation with a purchaser, which may be any underwriting firm, bank or other financial institution, pursuant to that certain Purchase Agreement in substantially the form on file with the Secretary, with any changes therein or additions thereto deemed advisable by the Executive Director, whose execution of said agreement shall be conclusive evidence of his approval of any such changes or additions. The Certificates of Participation shall be substantially as described in the form of Preliminary Official Statement on file with the Secretary and hereinafter approved. The Executive Director is hereby authorized and directed for and in the name

and on behalf of the Authority to approve the selection of any such purchaser and to execute and deliver said form of Purchase Agreement upon submission of a proposal by said purchaser to acquire the Certificates of Participation, which proposal is acceptable to the Executive Director, provided, however, that the purchase price to be paid for the Certificates of Participation shall be at least ninety-seven and one-half percent (97-1/2%) of the par value thereof, and the weighted average rate of interest represented by the Certificates of Participation shall not exceed ten percent (10%) per annum. The Executive Director is hereby delegated the authority to approve the terms of any such offer with respect to the Certificates of Participation, provided that such offer is in form and substance acceptable and is within the limitations set forth in this Resolution.

**Section 6. Official Statement.** The Board of Directors hereby approves the preliminary Official Statement describing the financing described herein, in the form submitted by the Financial Adviser and on file with the Secretary, together with any changes therein or additions thereto deemed advisable by the Executive Director, whose execution of the final Official Statement shall be conclusive evidence of his approval of any such changes or additions. The Board of Directors approves and authorizes the distribution by the Financial Adviser of said preliminary Official Statement to prospective purchasers of the Certificates of Participation, and authorizes and directs the Executive Director to execute the final form of the Official Statement on behalf of the Authority.

**Section 7. Official Actions.** The Chairman, the Executive Director, the Treasurer, the Secretary and all other officers of the Authority are each authorized and directed in the name and on behalf of the Authority to make any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they or any of them might deem necessary or appropriate in order to consummate any of the transactions contemplated by the documents approved pursuant to this Resolution. Whenever in this resolution any officer of the Authority is authorized to execute or attest any document or take any action, such execution, attestation or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer shall be absent or unavailable.

**Section 8. Effective Date.** This Resolution shall take effect from and after the date of its passage and adoption.

PASSED, APPROVED AND ADOPTED this 8th day of December, 1988, by the following vote:

AYES:	Fischer, Little, White, Wright, Grace
NOES:	None
ABSENT:	None

  
 Chairman  
 JEAN GRACE


Attest:

By:   
 Secretary  
 JEANNE BREHMER

**CERTIFICATION OF THE SECRETARY TO THE CARMEL-BY-  
THE-SEA PUBLIC IMPROVEMENT AUTHORITY**

I, JEANNE BREHMER, the undersigned, Secretary to the Carmel-by-the-Sea Public Improvement Authority, County of Monterey, State of California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 88-01 adopted by the Carmel-by-the-Sea Public Improvement Authority at its Special Meeting of 8 December 1988.

DATED: 27 December 1988

  
\_\_\_\_\_  
JEANNE BREHMER, Secretary  
Carmel-by-the-Sea Public  
Improvement Authority



**RECORDING REQUESTED BY AND RETURN TO:**

**PACIFIC GAS AND ELECTRIC COMPANY**  
**245 Market Street, N10A, Room 1015**  
**P.O. Box 770000**  
**San Francisco, California 94177**

Location: City/~~Union~~ Carmel-By-The-Sea

Recording Fee \$ \_\_\_\_\_

Document Transfer Tax \$ 0.00

☒ This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911)

☐ Computed on Full Value of Property Conveyed, or

☐ Computed on Full Value Less Liens

& Encumbrances Remaining at Time of Sale

☐ Exempt from the fee per GC 27388.1 (a) (2); This document is subject to Documentary Transfer Tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

Signature of declarant or agent determining tax

**LD# 2316-01-**

**EASEMENT DEED**

PM#35419734, 1110 - ZIS 4 TORRES STREET CARMEL-BY-THE-SEA

CARMEL-BY-THE-SEA PUBLIC IMPROVEMENT AUTHORITY, a joint powers authority,

hereinafter called Grantor, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the right from time to time to construct, reconstruct, install, inspect, maintain, replace, remove, and use facilities of the type hereinafter specified, together with a right of way therefor, within the easement area as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situate in the City of Carmel-By-The-Sea, County of Monterey, State of California, described as follows:

(APN 010-104-001)

The parcel of land described and designated PARCEL II in the deed from T. H. Handley to Grantor dated December 27, 1988 and recorded in Reel 2314 of Official Records at page 638, Monterey County Records.

Said facilities and easement area are described as follows:

Such underground conduits, pipes, manholes, service boxes, wires, cables, and electrical conductors; aboveground marker posts, risers, and service pedestals; underground and aboveground switches, fuses, terminals, and transformers with associated concrete pads; electric vehicle charging supply equipment, bollards and/or curbs or other associated safety equipment, associated signage; and fixtures and appurtenances necessary to any and all thereof, as Grantee deems necessary for the distribution of electric energy and communication purposes located within the strips of land of the uniform width of 10 feet, lying 5 feet on each side of the alignment of the facilities as initially installed hereunder. The approximate location of said facilities are shown upon Grantee's Drawing Number 35419734 attached hereto and made a part hereof.

Grantee agrees that on receiving a request in writing, it will at Grantor's expense, survey, prepare and record a "Notice of Final Description" referring to this instrument and setting forth a description of said strips of land.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor shall not erect or construct any building or other structure or drill or operate any well within said easement area.

Grantor further grants to Grantee the right to assign to another public utility as defined in Section 216 of the California Public Utilities Code the right to install, inspect, maintain, replace, remove and use communications facilities within said easement area (including ingress thereto and egress therefrom).

In the event upon termination of the electric vehicle charging station contract as set forth in said terms and conditions, Grantee shall upon written demand therefor execute and deliver to Grantor a good and sufficient quitclaim of said easement and right of way or such portion thereof conveyed in this document, at Grantor's expense.

The legal description herein, or the map attached hereto, defining the location of this utility distribution easement, was prepared by Grantee pursuant to Section 8730 (c) of the Business and Professions Code.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

In exercising its easement rights hereunder, Grantee shall not unreasonably interfere with, disrupt, or materially adversely affect Grantor's business operations or access rights at the property owned by Grantor.

Dated: \_\_\_\_\_, \_\_\_\_\_.

CARMEL-BY-THE-SEA PUBLIC IMPROVEMENT  
AUTHORITY, a joint powers authority

By \_\_\_\_\_

I hereby certify that a resolution was adopted  
on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the  
\_\_\_\_\_  
authorizing the foregoing grant of easement.

By \_\_\_\_\_

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_,

Here insert name and title of the officer

personally appeared \_\_\_\_\_

\_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)



\_\_\_\_\_  
Signature of Notary Public

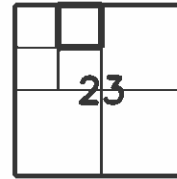
**CAPACITY CLAIMED BY SIGNER**

- ☐ Individual(s) signing for oneself/themselves
- ☐ Corporate Officer(s) of the above named corporation(s)
- ☐ Trustee(s) of the above named Trust(s)
- ☐ Partner(s) of the above named Partnership(s)
- ☐ Attorney(s)-in-Fact of the above named Principal(s)
- ☐ Other \_\_\_\_\_

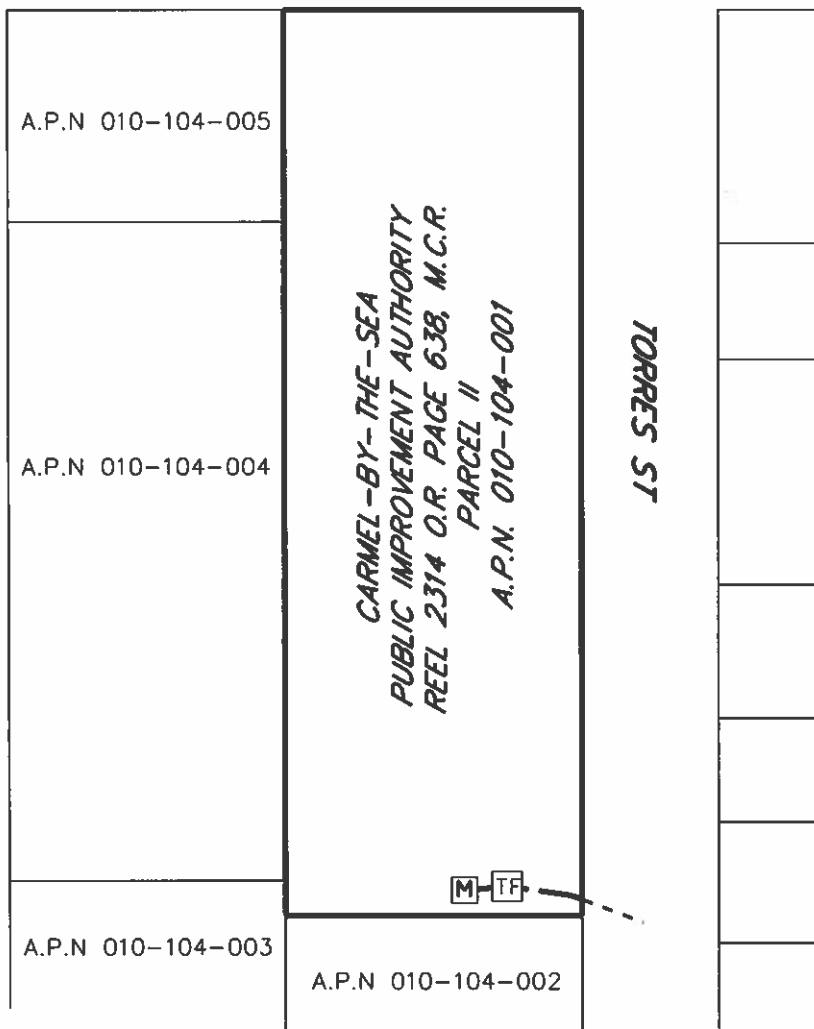
**LEGEND:**

- EXISTING TIE-IN FACILITIES  
 ———— SUBJECT PARCEL  
 - - - - PROPOSED EASEMENT  
           CENTERLINE, (APPROXIMATE)  
 M.C.R. MONTEREY COUNTY RECORDS

-  PROPOSED PAD-MOUNTED  
 TRANSFORMER LOCATION  
 PROPOSED 400A ELECTRIC  
 SERVICE METER LOCATION



REAL PROPERTY  
 SITUATED IN THE  
 N.E./4 OF THE  
 N.W./4 OF SECTION  
 23...

**3RD AVE**

ASSUMED

UNLESS OTHERWISE SHOWN ALL COURSES EXTEND TO OR ALONG ALL BOUNDARIES OR LINES

**APPLICANT: CARMEL-BY-THE-SEA PUBLIC IMPROVEMENT AUTHORITY  
 4 TORRES STREET, CARMEL-BY-THE-SEA, 93923 (EV FLEET)**

SCALE:  
 N/A

DATE:  
 04/22/23

SECTION 12	TOWNSHIP 16 S.	RANGE 01 W.	MERIDIAN: M.D.B.M.	COUNTY OF MONTEREY	CITY OF CARMEL-BY-THE-SEA
				F.B.: N/A	DR. BY: L.C. CH. BY: PRFB
PG&E DIST. PLAT MAP: ELECTRIC J0214A PG&E L.D. REFERENCES: N/A				AREA 3, CENTRAL COAST DIV.	125276437 AUTHORIZ.
					<b>35419734 DRAWING No.</b>

Attach to LD: 2316-01-  
Area, Region, or Location: 3; Central Coast Division  
Land Service Office: Fresno  
Line of Business: Electric Charging Station (95), Electric Distribution (43)  
Business Doc Type: Easements  
MTRSQ: 23.16.01.23.41  
FERC License Number: N/A  
PG&E Drawing Number: 35419734  
Plat No.: Electric J0214A  
LD of Affected Documents: N/A  
LD of Cross-Referenced Documents: N/A  
Type of interest: Communication Easements (6), Electric Underground Easements (4), Utility  
Easement (86)  
SBE Parcel: N/A  
% Being Quitclaimed: N/A  
Order or PM: 35419734  
JCN: N/A  
County: Monterey  
Utility Notice Number: N/A  
851 Approval Application No: N/A; Decision: N/A  
Prepared By: LC  
Checked By: PRFB

