

ORDINANCE NO. 14
ST. JOSEPH COUNTY ADDRESS ORDINANCE
DATE 1997
AMENDED NOVEMBER 15, 2005

WHEREAS, the people of St. Joseph County have voted to establish an enhanced 9-1-1 Central Dispatch System; and

WHEREAS, an accurate building numbering system is fundamental to the effective administration of the Central Dispatch System, the provisions of governmental services, and County and local planning; and

WHEREAS, an accurate building numbering system for St. Joseph County was established in 1979; and

WHEREAS, the Board of Commissioners held a public hearing on August 5, 1997 on the proposed St. Joseph County Address Ordinance; and

WHEREAS, subsequent to the public hearing changes were made and the Ordinance was adopted on November 4, 1997; and

WHEREAS, at this time the Board of Commissioners desires to make additional amendments to Address Ordinance #14.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners ordains the following:

ARTICLE I
TITLE, PURPOSES AND LEGAL CLAUSE

Section 1.01 - Title

This Ordinance shall be known as the St. Joseph County Address Ordinance, and hereinafter referred to as the "Ordinance".

Section 1.02 - Purpose

The purpose of this Ordinance is to establish a County system of assigning addresses to buildings to facilitate the locating of buildings in order to protect the public health and safety by enabling a quicker response time by police, fire, ambulance, and other emergency services; and to provide for more efficient delivery of County services such as building inspections, soil evaluations, health inspection, property tax administration, property mapping, and other County affairs; and to provide for efficient parcel delivery and U.S. Mail delivery in St. Joseph County by:

Creating a formal building numbering system with standards and regulations for assigning addresses.

Creating a coordinated system with standards for the naming of public and private roads.

Providing for notification of interested parties of assigned address numbers and road names.

Coordinating this Ordinance with other County or municipal ordinances.

Providing minimum standards and regulations for display.

Providing for the enforcement of this Ordinance.

Section 1.03 - Legal Basis

This Ordinance is enacted pursuant to Section 11 of Michigan Public Act 156 of 1851; Public Act 132 of 1996; Public Act 199 of 1937, Section 2, being Michigan Compiled Law.

Section 1.04 - Effect on Local Government Ordinances

This Ordinance is not effective within the boundaries of the cities and villages located within St. Joseph County. Should a city or village request to have their addressing administered by the County Ordinance Administrator, a separate agreement will have to be negotiated for that purpose.

Any township that has previously enacted or subsequently enacts an ordinance which achieves the purpose of this Ordinance shall request in writing that the Administrative Agencies exclude that township from the provisions of this Ordinance. Upon the written request the Administrative Agencies shall exclude that township from this Ordinance.

Section 1.05 - Administrative Agencies

The St. Joseph County Land Resource Centre and the E911/Central Dispatch Agency, are herewith appointed by the Board of Commissioners and shall be the agencies with overall administrative and coordination responsibility to administer and enforce this Ordinance.

ARTICLE II DEFINITIONS

Section 2.01 - Use of Words and Terms

For the purpose of the Ordinance, certain terms are defined. When not inconsistent with the context, the present tense includes the future and singular usage includes the plural usage. The word "shall" is always mandatory. The word "person" includes a firm, organization, partnership, trust, company, or corporation, as well as an individual.

Section 2.02 - Definitions

Any word or term not defined in this Ordinance shall be interpreted by reference to the "American Heritage Dictionary of the English Language" New College Edition, 1980.

ADDRESS means the combination of a set of numbers and a road prefix (N.S.E. W.), a road name, and a road suffix (such as Road, Highway, Drive, or Street).

ADDRESS NUMBER means a set of numbers.

ROAD means any vehicular way which is a state, county, or municipal roadway or is shown on an approved and recorded subdivision plat or is a private road that serves more than four (4) existing lots or principal buildings.

ROAD NAME means the proper name of a road, including a general suffix such as N.,S.,E.,W., where necessary.

BUILDING means a combination of material, whether portable or fixed forming a structure having roof supported by columns or by walls affording a facility or shelter for use or occupancy by persons, animals, or property.

PRINCIPAL BUILDING means the primary or predominant building located on a parcel of land.

ORDINANCE ADMINISTRATOR means the E911/Central Dispatch Agency staff and/or the Land Resource Centre staff.

ARTICLE III ROAD NAMES

Section 3.01 - Approval Agency

The Land Resource Centre shall coordinate the naming of newly established public and private roads within the County provided that the final decision on public road names shall remain with the governmental agency that is responsible for maintaining the public road in question or for private road names the municipality having zoning jurisdiction shall make the final decision. Within this Ordinance this agency is referred to as "the final approval agency."

If a municipality having zoning jurisdiction declines to be the final approval agency, the Land Resource Centre and/or E911 Central Dispatch will be the final approval agency for that municipality. The municipality shall inform the Land Resource Centre in writing should they choose to decline being the final approval agency.

Section 3.02 - Similar Road Names

The Land Resource Centre shall not recommend a road name which is the same or similar in spelling or pronunciation to an existing road within the St. Joseph County 9-1-1 service area.

Section 3.03 - Naming of New Roads or Previously Unnamed Roads

A property owner or plat proprietor shall make application for approval of a proposed road name on a form provided by the Land Resource Centre. Upon receipt of a road name application the Land Resource Centre shall review the proposed road names in consultation with the staff of St. Joseph County Road Commission, the County E911/Central Dispatch Agency, the applicable local government agency and/or the Michigan Department of Transportation.

The Land Resource Centre shall notify the applicant and the appropriate final approval agency of acceptance or rejection of the proposed names along with the rationale for the decision. The Land Resource Centre may provide the applicant a list of acceptable road name options for the convenience of the applicant.

The final approval agency shall review the recommendation and make a decision within sixty (60) days of receipt. The final approval agency shall provide the Ordinance Administrator with the decision in writing. The final approval agency may seek input from the township(s) in which the road is located, affected property owners, and any other sources that may help them in making a decision.

Section 3.04 – Payment For Private Road Signs

When a private drive is named, the property owners of and residents having access to that drive are responsible for the payment of the street sign(s). Payment shall be submitted to the Land Resource Centre, who will forward the request for a sign to the Road Commission once payment has been received. The sign should be paid for in a timely manner to ensure the sign is in place when addresses along the drive go into effect. Should a street sign need to be replaced, the owners and residents along the drive are responsible for paying for the replacement sign(s).

Should the property owners responsible for the street sign choose to buy and install a street sign independent of the County Road Commission, the sign and its location shall comply with the county address ordinance and Road Commission guidelines for street signs and posts.

Section 3.05 - Changing Existing Road Names

It is the intent of this Ordinance to leave existing road names in place unless deemed appropriate based on the following:

The Ordinance Administrator shall provide a written recommendation to the appropriate final approval agency (as defined under Section 3.01), changing the name of an existing road for the following reasons:

When two identical or similar road names exist within the County;

When a road has two commonly used names or where portions of what appears to be the same road have two or more names;

An established road that follows a similar longitudinal or latitudinal path, continuous or not, shall not be deemed out of compliance with this Ordinance.

If the existing road is in a plat, the governing body of the applicable township is required to approve the name change and within 30 days have a certified copy of the change recorded in the register of deeds and a copy sent to the state treasurer. Until recorded, the change shall not be in effect. (Public Act 288 of 1967, section 256, Land Division Act).

The Ordinance Administrator will provide the affected residents a copy of the recommendation made to the final approval agency. If the final approval agency in question is the Road Commission, the clerk of the township that the road is located in will also receive a copy of the recommendation.

The final approval agency shall review the recommendation and make a decision within sixty (60) days of receipt. The final approval agency shall provide the Ordinance Administrator with the decision in writing. The final approval agency may seek input from the township(s) in which the road is located, affected property owners, and any other sources that may help them in making a decision.

Before recommending a change in an existing road name, the Land Resource Centre shall consider the official road name as recorded on plats and deeds of adjacent property and the most accurate historical name of the road in question.

ARTICLE IV ADDRESS NUMBERING

Section 4.01 –Assigning Agency

The Land Resource Centre shall have overall jurisdiction over address numbers and shall ensure that an address number does not duplicate the number for any building considered to be along the same road.

Section 4.02 – Record Keeping

The Land Resource Centre shall keep a master file of assigned addresses and corresponding tax parcel numbers and maintain a master address map.

Section 4.03 - Rural Address Numbering System

The rural address numbering system which is structured as follows shall be used:

A. Within St. Joseph County there shall be a baseline which shall be known as the Northern boundary of St. Joseph County. There shall be a meridian line which shall be the west line of the respective townships of Flowerfield, Fabius, Constantine, and Mottville (the division line of Range 12 West and Range 13 West), causing an ascending numbering system 1000 per mile, when going east or south. Because the line is located east of the western most point of the County, the part of Mottville Township located west of the meridian line will have four-digit numbering in this area ranging from 8500 to 9999.

Going south from the baseline, address numbers shall be evenly spaced, 1000 per mile, so that when following a northerly-southerly road one reaches address number 51,000 when arriving at the next section line south. Such address numbers shall continue in the same manner by 1,000 whole numbers for each section of each township.

Even numbers shall be on the westerly sides of roads, odd numbers shall be on the easterly sides of roads.

B. Roads which are not aligned due north-south or meander shall be numbered as a north-south road if the major portion of the road within St. Joseph County runs north-south. Once a north-south road has address numbers assigned to buildings then that road shall always be considered to be a north-south road.

When following an easterly-westerly road one reaches address number 11,000 when arriving at the next section line east of the meridian line. Such address numbers shall continue in the same manner by 1,000 whole numbers for each section of each township. Addresses in Mottville Township west of the meridian line start 1.5 miles west of the meridian line at 8500 and increase going east by 1,000 whole numbers per mile to end at 9999 at the meridian line.

Even numbers shall be on the northerly sides of roads, odd numbers shall be on the southerly sides of roads.

Roads which are not traveling due east-west or meander shall be numbered as an east-west road if the major portion of the road within St. Joseph County runs east-west. Once an east-west road has address numbers assigned to buildings then that road shall always be considered to be an east-west road.

C. Address numbers shall be assigned so they run consecutively, starting at the baseline or meridian line so that numbers are not out of sequence.

D. A village or city numbering system shall be used in villages and cities and shall be confined to that area lying within the municipality's boundaries.

E. All parcels that lie within township boundaries will be required to use the adopted County numbering system. The Ordinance Administrator shall be notified by the County Clerk of an annexation prior to public hearings so appropriate numbering systems can be implemented at the time of the official change of municipal jurisdictions.

Section 4.04 - Address Issuance

If a property is determined to be in compliance with applicable local and state laws or regulations the Land Resource Centre shall issue an address for the property upon submission of a site plan describing the location of an existing or proposed structure by the owner or the owner's representative. The site plan shall reasonably indicate the structures front and side yard setbacks. The property owner shall receive an address identification card which shall be issued by the Land Resource and shall contain:

1. The buildings address number
2. The road prefix (if any)
3. The road name
4. The road suffix
5. The date of issuance
6. The owner's or owners representative's name
7. The parcel identification number

Section 4.05 - Changing Address Numbers

A. It shall be the policy of this Ordinance to discourage the practice of changing existing addresses or address numbers which are already in use except:

1. When an address is duplicated.
2. If the existing number is such that the assignment of address numbers for new buildings is not practical and in keeping with the requirements of this Ordinance.
3. When a new road is constructed, or recognized, which results in the most appropriate address for a building to be on the new road rather than the original road (such as where a building was previously located on an extended drive which subsequently becomes a named road.)
4. If the existing address number does not otherwise comply with the requirements of this Ordinance.

B. When a person's address is changed pursuant to this Ordinance the Land Resource shall notify the resident and owner, if different, on a form that contains the following:

1. The old address
2. The new address
3. The reason for the change
4. The effective date of the change

C. In cases where an existing address is changed, the Land Resource Centre shall send a written notice to the affected resident. Said notice shall explain the reason for the address change. Prior to the effective date of the address change, the Land Resource Centre, shall notify the following agencies of the address change: phone company, electric company, US Post Office, E911/Central Dispatch, the township, city or village, Health Department, local emergency services provider and any other organization that the LRC deems necessary to inform.

The resident shall comply with the address change within ninety (90) days of notification. An appeal must be filed within forty five (45) days of the postmark on the notice of the address change.

ARTICLE V DISPLAY OF ADDRESS

Section 5.01 - Display

All principal buildings shall be required to display an address number in the manner prescribed in this Ordinance. Administrative responsibility for compliance with the proper address display shall be under the direction of the E911/Central Dispatch Agency.

Section 5.02 - Display Requirements

The resident, occupant, or owner of a building shall display the address number in such a manner as will be plainly visible and legible from a vehicle traveling on the road that is named in the address. The address numbers shall be displayed at a height of at least two (2') feet above grade and not higher than six (6') feet above grade. All numbers shall be Arabic numerals of at least three (3") inches in height (or larger) and of a color that contrast with the background color of the structure supporting the numbers. When a building is located more than one-hundred (100') feet back from the traveled centerline of the road that is named in the address, or the view of building is obstructed by trees, shrubs, or another building, the address number shall be displayed on the building as well as in one of the following manners:

1. On a sign or attached to a fence, or post located within forty (40') feet of centerline of the driveway and between ten (10') and thirty, (30') feet back from the edge of the traveled roadway provided that any sign use to comply with this Ordinance must also comply with applicable zoning regulations concerning the location and size of signs.

2. On both sides of a mailbox located within forty (40') feet of the centerline of the driveway on the same side of the road as the principal building or within twenty (20') feet of the extended centerline of the driveway on the opposite side of the road provided that the view of both sides of the mailbox is not obstructed by other mailboxes or newspaper delivery boxes. The use of mailboxes to comply with the address number display requirements of this Ordinance is subject to the regulations of both the post office and the governmental organization which maintains the road.

3. Any residence or structure on a private drive, shall post the address number on the main road where the private drive begins and at the property as stated above.

ARTICLE VI NOTICE, ENFORCEMENT, PENALTIES AND EFFECTIVE DATE

Section 6.01 Both Administrative Agencies (Central Dispatch and LRC) are responsible for ensuring that the proper notice and enforcement procedures are followed for those Ordinance provisions for which oversight responsibility has been assigned.

Section 6.02 - Penalties

A. Any person in violation of any subsection of this Ordinance shall be responsible for a civil infraction and upon admission or finding of responsibility, shall be subject to a fine not to exceed Five Hundred Dollars (\$500.00), as well as Court costs to be determined by a Court of competent jurisdiction. The penalty may be deferred by the Court where appropriate.

B. If the violation continues after thirty (30) days of an admission or finding of responsibility under 6.02 A. above, any person in continuing violation of the Ordinance may be charged with a misdemeanor and if convicted, shall be punished by a fine of up to Five Hundred Dollars (\$500.00) or imprisonment in the County Jail not to exceed ninety (90) days, or both.

C. No certificate of occupancy shall be issued by the local unit of government building official to a new building for which construction commenced on or after the effective date of this Ordinance and has failed to comply with the provisions of this Ordinance.

ARTICLE VII APPEALS

Section 7.01 - Appeals Hearing Board

The St. Joseph County E911/Central Dispatch Policy Board shall act as the Appeals Hearing Board to hear petitions for relief from administrative actions taken by the Ordinance Administrator pursuant to the authority granted by this Ordinance.

Section 7.02 - Appeal of Administrative Decision

The Hearing Board shall have the power to affirm, reverse or modify the decision of the Ordinance Administrator after conducting a hearing at which the aggrieved party or parties and the Ordinance Administrator are permitted to testify. Findings of fact shall be made on the record of the hearing.

When the findings of fact support a conclusion that an error in fact has occurred, the Hearing Board may reverse the decision of the Ordinance Administrator or remand the matter back to the Ordinance Administrator with instructions for corrective action.

When the findings of fact support a decision that action of the Ordinance Administrator has created an unnecessary hardship, the Hearing Board may allow an extension of time not to exceed one hundred and eighty (180) days to comply with the written notice of the Ordinance Administrator.

ARTICLE VIII SAVING CLAUSE

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, Section or provision is declared void or unenforceable, for any reason, by a court of competent jurisdiction, the remaining portions of said Ordinance shall remain in force.

ARTICLE IX EFFECTIVE DATE

This Ordinance as amended shall be effective immediately when notice is published in a newspaper of general circulation in St. Joseph County.

Originally adopted: November 4, 1997

Amended: November 15, 2005