

**BARRY COUNTY ADDRESS ORDINANCE
OF 1997
ORDINANCE NUMBER 97-01**

PREAMBLE

The people of Barry County do hereby ordain:

In order to uniformly assign and maintain building addresses to provide for easy identification of buildings for various purposes including but not limited to the implementation of 911 service and to promote the health, safety, and welfare of the citizens of the County of Barry, the County of Barry enacts its uniform address ordinance as follows:

ARTICLE 1

TITLE, PURPOSE, AND LEGAL BASIS

Section 1.01 – Title

This ordinance shall be referred to as the Barry County Address Ordinance of 1997, and hereinafter referred to as the Ordinance.

Section 1.02 - Purpose

The purpose of this ordinance is to establish a County-wide system of assigning addresses to buildings to facilitate the locating of buildings in order for law enforcement, fire, medical and other emergency response agencies and services, utility companies, postal and delivery services, County services such as building inspections, property tax administration, property mapping and other County services and responsibilities to more rapidly and efficiently identify and locate property in Barry County by:

- A) Creating a formal addressing system for buildings with standards and regulations for assigning addresses.
- B) Creating a coordinated system with standards for the naming of public roads And private drives.
- C) Providing for notification of interested parties of assigned address numbers and and road names.
- D) Providing minimum standards and regulations for the display of addresses.
- E) Providing for the enforcement of the ordinance.
- F) Providing for an appeal process of this ordinance.

Section 1.03 - Legal Basis

This ordinance is enacted pursuant to Section 11, Subsection (m) of the Michigan Public Act 156 of 1851, as amended, being 46.11 of the Michigan Compiled Laws.

Section 1.04 - Effect on Local Government Ordinances

This ordinance shall be effective and enforceable in all parts of Barry County except in the jurisdiction of those cities, villages, or townships that have previously enacted or subsequently enact an ordinance that addresses the general subject matter of this ordinance.

Section 1.05 - Address Ordinance Administrator

The County Board of Commissioners shall appoint the County Planning Director or other qualified county employee to be the Address Ordinance Administrator, hereinafter know as the AOA. The AOA shall have overall responsibility for administration and coordination of this ordinance, including enforcement.

Section 1.06 - Appeals

The Barry County Central Dispatch Administrative Board shall serve as the appeals board of this Ordinance. A person having an interest in property affected by a decision made by the AOA may appeals in writing within 30 days of a decision to the Board for a final determination. The Board shall hold a hearing at the monthly meeting during regularly scheduled hours. A quorum of the Board must be present to hold a hearing, and a decision will be made by majority vote.

ARTICLE 2

DEFINITIONS

Section 2.01 - Use of Words and Terms

For the purpose of this ordinance, the following terms are defined. When not inconsistent with the context, the present tense includes the future. Words in singular includes the plural and words in the plural include the singular. Masculine shall include the feminine and the neuter. The word "shall" is always mandatory. The word person includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.

Any word or term not defined in this ordinance shall be interpreted according to its common meaning and usage.

Address - The combination of an address number, a road prefix, a road name, and a road suffix.

Address Number - Any set of numbers ranging from 1 to 5 digits.

Address Range – The sequence of numbers for a section of road between two distinct Points.

Road - Any vehicular way which is a state, county, or municipal roadway, is shown on an approved and recorded subdivision plat, or is a private drive, two-track, or easement that serves as the road frontage of a parcel of land.

Road Name - The proper name of the road, including a road prefix and a road suffix.

Road Prefix - A compass or directional designation of a road being north, south, east, or west.

Road Suffix - The type or classification of a road (e.g. road, court, lane, avenue, highway, drive, street, etc.) or its abbreviation.

Principal Building - The primary or main building located on a parcel of land.

ARTICLE 3

ROAD NAMES

Section 3.01 - Approval

The AOA shall approve the naming of newly established public and private roads within the county which are subject to this Ordinance and roads in proposed plats which are ultimately approved by the Barry County Plat Board.

Section 3.02 - Similar Road Names

The AOA shall not approve a road name which is the same or similar in spelling or pronunciation to an existing road within Barry County.

Section 3.03 - Naming of New Roads

A property owner, developer, surveyor, or plat proprietor shall make application to the AOA for approval of a proposed road name. Upon receipt of the road name application, the AOA shall review the proposed name with the County Central Dispatch Department, The County Plat Board, and any other appropriate government agency.

The AOA shall notify the applicant within thirty (30) days of the acceptance or rejection of the proposed name along with the reasons for the decision, if applicable. The County Land Information Services Department can provide applicants with a list of road names in Barry County for the convenience of the applicant.

Section 3.04 - Changing Existing Road Names

In situations where two identical or similar road names exist within Barry County, except those jurisdictions that have written or will write an address ordinances, the AOA may recommend one of the streets be renamed to a non-duplicate name. The AOA will prioritize the renaming of roads for those roads that have the same or similar names in the same emergency service area or by other circumstances that make the accurate dispatching of emergency vehicles impractical. A road name may also be changed when one road has two commonly used names or where portions of what appears to be the same road have two or more names. Before recommending a change in road name, the AOA 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. Disturbance to existing legal documents shall be of primary consideration in determining the single road name when two or more names are commonly used.

Section 3.05 - Private Drives and Easements

- A) Unnamed private drives and easements in existence prior to the adoption of this ordinance shall be named. If the house addresses are numbered off of the adjoining public road, they shall be changed to appropriate addresses using the private road name.
- B) For existing private drives, the property owners shall have an opportunity to submit potential road names to the AOA. The AOA shall apply the conditions of Section 3.03 for approval.
- C) The AOA shall coordinate the naming of new private drives with the property owners at the time a lot is recorded using an easement for ingress and egress to a public road.
- D) A approved road sign that meets the Barry County Road Commission specifications shall be erected at the intersection of the private drive and the public road clearly showing the name of the private drive. The lettering shall include the word "Private" or the abbreviation "PVT." to distinguish the road from public roads. It is the responsibility of the property owners along the private road to obtain and erect a sign.

ARTICLE 4

ADDRESS NUMBERING

Section 4.01 - Approval Agency

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

Section 4.02 - Rural Address Numbering System

The rural address numbering system, which is structured as follows, shall be used except when existing municipal, village, or other numbering systems are determined to be more appropriate by the AOA.

- A) Within Barry County, there shall be an address baseline which shall be the south section line of Sections 7 through 12 of Yankee Springs, Rutland, Hastings, and Castleton Townships, respectively.
 - 1) In both directions from this baseline, address numbers shall be evenly spaced, 1,000 per mile, so that when following a northerly-southerly road, one reaches address number 1,000 when arriving at the next section line north and south. The address numbers shall continue in the same manner by 1,000 whole numbers for each section of each township.
 - a) North of the baseline, even numbers shall be on the easterly side of the roads; odd numbers shall be on the westerly sides of the roads.

- b) South of the baseline, even numbers shall be on the westerly side of the roads; odd numbers shall be on the easterly side of the roads.
 - 2) Roads which are not aligned due North-South or meander shall be numbered as North-South roads if the major portion of the road within Barry County runs North-South. Once a North-South road has address numbers assigned to buildings, then that road shall always be considered a North-South road.
- B) Within Barry County, there shall be an address meridian line which shall be the east section line of Sections 6 through 31 of Carlton, Hastings, Baltimore, and Johnstown Townships, respectively.
- 1) In both directions from the meridian line, address numbers shall be evenly spaced, 1,000 per mile, so that when following an East-West road, one reaches address numbers 1,000 when arriving at the next section line east or west. The address numbers shall continue in the same manner by 1,000 whole numbers for each section of each township.
 - a) East of the meridian, even numbers shall be on the southerly side of the roads; odd number shall be on the northerly side of the road.
 - b) West of the meridian, even numbers shall be on the northerly side of the road; odd numbers shall be on the southerly side of the road.
 - 2) Roads which are not raveling due East-West or meander shall be numbered as an East-West road if the major portion of the road within Barry 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 the numbers are not out of sequence.
- D) Upon determination of the AOA, address numbers in common use prior to the adoption of this ordinance may continue to be used if:
- 1) The existing address numbers run consecutively in the same direction as the county address system for that section of Barry County.
 - 2) The address will not cause undue administrative and maintenance difficulties for the future addressing of buildings.
- E) Other county, municipal, or village numbering systems shall be used in place of the above rural system upon approval of the AOA, provided that only one numbering system shall be used for both sides of a defined road segment.

Section 4.03 - Changing Address Numbers

The AOA shall change a road address of a building if one of the following conditions exist:

- A) If the existing address number is not in sequence and/or does not run consecutively in the same direction as the county address system.
- B) If a new road is constructed, or if an existing easement is named, and the most appropriate address for the existing home is on the newly named road.
- C) If an address is duplicated or otherwise violates this ordinance.

Section 4.04 - Notice and Enforcement

The AOA is responsible for insuring that the proper notice and enforcement procedures are followed:

- A) When a person submits a site plan in order to obtain an address, The Planning Department shall assign the address which will include the address number, the road prefix, the road name, and the road suffix.
- B) When a person's address is changed pursuant to this ordinance, the AOA shall notify the resident and the owner, if different, on a form that contains the current address, the new address, and the effective date of the change.
 - 1) The AOA shall provide, at a minimum, a 60 day adjustment time period from the day the notice is sent to the date it becomes effective so that homeowners can change their personal and legal documents.
 - 2) Prior to the effective date of the address change, the AOA shall notify the following agencies of the address change:
 - a) The phone company
 - b) The electric company
 - c) The post office
 - d) Central Dispatch/911
 - e) The township or village
 - f) The Health Department
 - g) The Building Department
 - h) The local emergency service provider
 - i) The local school district
 - j) The Intermediate School District
- C) In cases where an existing address is changed, and the AOA has sent a notice to the affected resident:
 - 1) The resident shall be requested to comply with the address change, or appeal the change by requesting a hearing.
 - 2) An appeal must be filed with the AOA within 15 days of the postmark of the notice of the address change. An extension to file an appeal may be granted by the AOA upon a finding the notice was not delivered in a timely manner.

D) Notice of Violation

- 1) In cases where an existing address was changed, the resident shall comply with all sections of this ordinance within 30 days of the effective date of the address change.
- 2) For all violations of this ordinance, the AOA shall send, by first class mail, a notice of violation stating the amount of time, not to exceed 30 days, the resident has to comply with the Ordinance.
- 3) If a violation remains at the end to the prescribed period of time, a citation shall be issued to the resident and/or owner of the property and the matter turned over to the County Prosecuting Attorney for prosecution.

Section 4.05 - Master Address File

The AOA shall keep a master file of assigned addresses and corresponding property code numbers with the cooperation of the County LIS Department.

ARTICLE 5**DISPLAY OF ADDRESSES****Section 5.01 - Display**

All principal buildings shall be required to display an address number in the manner prescribed in this ordinance.

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. All numbers shall be Arabic numerals of at least three (3) inches in height (or larger) and of a color that contrasts 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 if the view of the building is obstructed by trees, shrubs, or another building, the address number shall be displayed in one of the following manners:

- A) On a sign attached or post located within twenty (20) feet of the centerline of the driveway and between ten (10) and twenty (20) feet back from the edge of the traveled roadway provided that any sign used to comply with this Ordinance must also comply with applicable zoning regulations concerning the location and size of signs. The address number shall be displayed at a height of at least four (4) feet above grade and not higher than six (6) feet above grade.

ARTICLE 6**ENFORCEMENT AND PENALTIES**

It is a civil infraction for any person to violate any provision of this Ordinance, and, upon being found responsible, shall be subject to a fine not to exceed \$500.00. The AOA may issue the serve an appearance ticket to commence a civil infraction proceeding. If the person ticketed comes into compliance with the ordinance within the time to appear in court, the AOA shall dismiss the ticket.

A second violation of this ordinance shall be a misdemeanor. Any person found in violation shall be subject to a fine not to exceed \$500.00 or imprisonment for not more than 90 days, or both.

ARTICLE 7

ARTICLE AND SECTION TITLE

The article and section titles shall be deemed for convenience only and shall not limit the scope of any article or section of this ordinance.

ARTICLE 8

SAVING CLAUSE AND REPEALER

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 or competent jurisdiction, the remaining portions of this Ordinance shall remain in force. All ordinances or parts of ordinances of Barry County in conflict with any of the provisions of this ordinance are hereby repealed.

ARTICLE 9

EFFECTIVE DATE OF ORDINANCE

This Ordinance shall take effect when notice of its adoption is published at least once in newspaper of general circulation in Barry County.