

0016

THE OTSEGO COUNTY  
UNIFORM STREET AND ROAD NUMBERING  
ORDINANCE

OTSEGO COUNTY ORDINANCE # 1 OF 1992

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Preamble

The Board of Commissioners of the County of Otsego, have determined that the health, safety, and welfare of the residents of Otsego County would be better served by establishing, by County Ordinance, a county-wide street naming and road numbering system. Uniform and mandatory street and road naming and numbering will enable police agencies, ambulance services, township officials, public and private entities, postal service, and public utilities to more rapidly identify and locate properties within the county. This Ordinance is enacted to accomplish the goals, purposes, and intent stated herein, to uniformly assign and maintain house and building numbers, and street and road names, both public and private, to provide for easy identification of those numbers for the various public purposes, to provide a method for enforcement and administration, and to provide penalties for violations;

Therefore, the County of Otsego enacts this Uniform Street and Road Numbering Ordinance, and the Otsego County Board of Commissioners, State of Michigan, ordains:

Section 1.0: Title. There is hereby created, and this Ordinance shall be known and cited as, the "Otsego County Uniform Street and Road Numbering Ordinance".

Section 1.2: Purpose. The purposes of this ordinance, as included in the preamble which is incorporated by reference into this ordinance, is to establish a county-wide, with the exception of cities and incorporated villages, street and road numbering system in a uniform and logical manner; and to provide for a central point to issue and control numbering, and to provide rules and guidelines to facilitate enforcement thereof.

Section 2.0: Definitions. Unless a contrary definition is contained in this ordinance, all words and phrases used in this ordinance shall be understood and construed in accordance with their commonly accepted and understood meaning and definition.

Section 2.1: "Numbers". House number, assigned premises number, assigned number, number, street and/or road number, and/or assigned house number, shall mean the number assigned to consecutive intervals along a street or road pursuant to the Number Assignment formula contained herein.

Section 2.2: "Number Assignment Formula" shall mean: Beginning from zero base points along the North-South baseline and the East-West baseline, a house number shall be assigned for each interval along the street or road with each interval on the right-hand side of the roadway as one leaves a point of origin being assigned an even number, and each interval on the left-hand side as one leaves a point of origin being assigned an odd number. The numbers assigned shall increase consecutively by an increment of two (2) for each interval. Intervals shall run North, South, East and West.

Section 2.3: "Primary Structure" shall include, but not be limited to: residential buildings, office buildings, commercial buildings, industrial buildings, public buildings, mobile home parks, utility structures, and buildings used for storage, including, but not limited to pole barns or garages.

Section 2.4: "Interval", as used herein, means a distance along a road covered by this Ordinance of 5.28 feet, there being 1,000 intervals per section (5,280 feet). Intervals of greater or lesser length than 5.28 feet may be determined by dividing the actual distance between sections, 1/4 section and 1/8 section lines by 250.

Section 2.5: "Zero Base", as used herein, means any point along the East-West baseline or any point along the North-South baseline from where intervals are to begin.

Section 2.6: "Baselines". The North-South Baseline shall refer to a line extending North and South [from the top to the bottom of the County] dividing the County into East-West portions; and more specifically, the North-South baseline is established, described, and defined as: following two different alignments with the line in the southern half of Otsego County being described as beginning on the South Otsego County Line at the intersection of Sherman and Krause Roads; thence North along the Section Lines common to

Sections 33 and 34; 27 and 28; 21 and 22; 15 and 16; 9 and 10; and 3 and 4 in both Otsego Lake Township (T29N-R3W) and Bagley Township (T30N-R3W); and the North-South baseline in the northern half of Otsego County is described as beginning at the intersection of Main Street (M-32) and North Center Avenue (Old 27 North); thence North along the Sections Lines common to Sections 33 and 34; 27 and 28; 21 and 22; 15 and 16; 9 and 10; and 3 and 4, in both Livingston Township (T31N-R3W) and Corwith Township (T32N-R3W).

The East-West Baseline shall refer to a line extending East and West across the county dividing it into North-South portions; the East-West Baseline is established, described, and defined as: a line along the South Lines of the following Townships - Elmira (T31N-R4W), Livingston (T31N-R3W), Dover (T31N-R1W), and a line along South Line of Sections 31 through 36 of Charlton Township "North"; this East-West Baseline is more specifically described as beginning at the West Line of Elmira Township, thence easterly along Alba Road (C-42) to Highway M-32, and continuing easterly along Highway M-32 to its intersection with Wilkinson Road, thence easterly along Wilkinson Road to its ending at Kubacki Road, thence continuing easterly along the above referenced South Lines of T31N-R2W (Dover Township) and T31N-R1W (Charlton Township "North") to a point of ending on the East Otsego County Line.

Section 2.7: "Display", as used herein, is the manner an assigned number is affixed to a primary structure, or other permitted material such as a post, so as to make the numbers plainly visible pursuant to the this and the other provisions of this ordinance.

Section 2.8: "Diagonal Roads", as used herein, are roads whose course does not run in either an approximate North-South or East-West direction, and this term includes, but is not limited to, roads that run in a circular or U-shape direction. All roads shall be classified, for purposes of number assignments, as either North-South or East-West.

Section 2.9: Additional Definitions:

(a) "Driveway" refers to that portion of a premises accessible to motor vehicle traffic and which provides the principal means of access onto a single lot or premises from a street or road.

(b) "Street" and "Road" are interchangeable terms in this Ordinance and they each refer to any thoroughfare, including both public roads and private roads, accessible to motor vehicle traffic and which affords the principal means of access to abutting property.

(c) "Premises" shall mean any lot or single parcel of land owned by any person, entity, firm, or corporation, public or private, improved with any building(s), whether occupied or not.

(d) "Private Road" refers to any thoroughfare, that is not a public road, but that is accessible to motor vehicle traffic and which affords the principal means of access to abutting property and from which driveway access is thereby gained to more than one premises.

Section 3.0: Display of Assigned Number Mandatory.

(a) Assigned numbers shall be displayed, in accordance with this ordinance, on each house, building, or other primary structure, that exists on any premises in Otsego County on or after the effective date of this ordinance, unless the house, building, or primary structure is either:

(1) more than two hundred [ ? ] feet back from the center of the road that is accessed by the driveway for said lot or premises, in which case the provisions of subparagraphs (b) through (e), and all other provisions of this ordinance, shall apply; or

(2) if the assigned number to be affixed, or actually affixed, to the primary structure is not plainly visible from the road that is accessed by the driveway for said lot or premises, regardless of the distance set back from the road, then the provisions of subparagraphs (b) through (e), and all other provisions of this ordinance, shall apply.

(b) If subparagraphs (a)(1) or (a)(2) applies, then a post with the assigned numbers securely affixed thereto shall be installed and is required. The numbers affixed to the post shall be no less than [five] (?) feet, nor more than [seven] (?) feet above the level of the street or road, and adjacent to the driveway, and no closer than twenty 20 feet from the road's edge. The post shall be of a material, size,

quality, and durability, so as to securely retain the assigned number when affixed to the post in a manner which makes the number plainly visible and displayed as otherwise required by this ordinance.

(c) In addition to the provisions required by either (a) and/or (b), and in addition to the other provisions of this ordinance, the assigned premises number shall be: (1) displayed facing the road, (2) plainly visible from the road at the point the driveway for the premises meets, intersects, or abuts, the road, (3) not less than three (3) inches in height, (4) the numbers shall be of a width that enables the number to be plainly visible from the road, and (5) the color of the numbers shall be of a color contrasting with the background of, or immediately behind, the numbers.

(d) The assigned number shall be required to be displayed on one post per each premises, or on one primary structure per each premises, regardless of the number of separate structures that exist on the premises; provided, that such display complies with the other provisions of this ordinance.

(e) In all cases, whether affixed to a post, house, building, or other primary structure, the assigned number shall be plainly visible from the road at the point the driveway for the premises meets, intersects, or abuts, the road.

#### Section 4.0: Road Numbering System, Designate, Policies.

There is hereby created for Otsego County a Uniform Street and Road Numbering System. The Otsego County Equalization Department is hereby named as the designated department that shall be responsible for administering this county ordinance, subject to its terms and provisions. The Board of Commissioners shall have the right to change or amend this designation at any later date, by motion and majority vote of the Board. The Street and Road Numbering System designate shall draft policy, if and as needed, for the operation of the system and the assignment and placing of street and house numbers for all intervals along all roads in the County of Otsego, as provided for herein, based on the relationship of the premises to the applicable baseline and zero base points, and pursuant to this ordinance. Said policies shall be approved by the Otsego County Board of Commissioners before any take effect.

Section 4.1: Assigned Number Map. The designate for this Street and Road Numbering system shall create and maintain an accurate map(s) of all roads within Otsego County and shall make assigned numbers available for each interval along the roads. Said map(s) shall be the official repository of said street and road numbering assignments.

Section 4.2: Road Names Mandatory. The provisions of this Ordinance shall apply to both public and private roads. Any and every road, public or private, that exists in Otsego County, with the exception of roads within cities and/or incorporated villages, on or after the effective date of this ordinance shall be, have, and be posted or signed with, a name that shall be registered with, approved by, and assigned by the Otsego County Road Commission who shall have the sole duty and responsibility for street or road naming.

Section 4.3: Assigned Number Changes. Existing, or previously assigned or displayed, street or road numbers which do not comply with this ordinance may be changed either (1) at the request of the property owner or his/her agent(s), but only upon approval of the Street and Road Numbering designate, or (2) such change may be initiated by the County designate. When a change is initiated by the designate, the property owner shall be notified, in writing, thirty (30) days prior to the time the new number shall become the assigned number for the interval of the property in question.

Section 4.4: Assignment of Numbers. The designate shall, upon application by any person to whom this ordinance is applicable, assign a number that complies with this ordinance, or the designate shall, in accordance with the provisions of this ordinance, assign and/or cause to be displayed an assigned number for a lot or premises.

Section 5.0: Duplicate Street Names. It shall be unlawful for any two or more separate or non-continuous streets in Otsego County, excluding roads within the boundaries of the cities and/or incorporated villages, to be posted with, signed with, or have, the same name. Any roads having the same name in Otsego County, with the exception of roads within cities and incorporated villages, on the effective date of this ordinance, shall first be identified by the Otsego County Road Commission, who shall then have the sole responsibility and duty to correct any duplicate road name violation in a reasonable and logical manner.

Section 6.0: Applicability. It shall be unlawful for any person(s) to violate any provision of this ordinance. The word "person" shall include, but not be limited to, any individual, firm, association, partnership, or corporation, that resides, occupies, controls, or that has an ownership or possessory interest in, any premises located in Otsego County, with the exception of premises located in a city and/or incorporated village; and the word "person" shall also include, but not be limited to, any landlord, owner, co-owner, joint owner, tenant, or co-tenant, of such premises.

Section 7.0: Enforcement and Violation. Enforcement of a violation of any provision of this ordinance shall be as follows:

(a) A person who violates the provisions of this Ordinance shall be punished by a fine of not more than one hundred (\$100.00) dollars. The District Court shall also have the authority and discretion to order, in addition to ordering the payment of a fine, such other court costs and/or restitution for expenses not previously reimbursed to the County of Otsego, if any, that may have been incurred as a result of attempts to, or completion of efforts to, post or display the assigned number for said premises. Each day that a violation occurs may be deemed a separate offense; and/or,

(b) In addition to the imposition of the foregoing fines, penalties, and other legal remedies, the designate, or such other persons as the County Board of Commissioners may designate, may cause the proper posting, affixing, or displaying, of the assigned number and the cost thereof shall be assessed against, owed by, and reimbursed by, the an owner of record for such land or premises; and/or,

(c) If reimbursement for said costs are not made within 30 days of written notice being mailed by the designate to an owner, co-owner, or joint owner of the subject premises, and if reimbursement has not otherwise been paid to the County of Otsego, then, all such costs shall become a lien upon the land or premises, provided that the designate files and records upon the record or title of said land or premises with and in the Otsego County Register of Deeds Office, an affidavit itemizing and detailing the total costs of said displaying, said costs shall also include the cost of recording and/ or filing the affidavit with the Register of Deeds.

Section 7.1: Grace Period. Procedures to enforce this ordinance may be commenced no sooner than thirty (30) days after written notification of the violation is personally served upon, or mailed by the County designate to, either: (1) an owner, co-owner, or joint owner of the premises or land at the most recent address as reflected in the records or title history for said land or premises with and in the Otsego County Register of Deeds Office; or, (2) any remaining person or entity to whom this ordinance is applicable, as described in Section 6.0.

Section 8.0: Scope. Except as otherwise provided herein, this Ordinance shall affect only property located along roadways found in the unincorporated areas within the County of Otsego, and shall not be deemed effective as to property located within the boundaries of any incorporated Village or City within Otsego County. This ordinance shall not supersede any existing city or village ordinance or authority for street numbering, but shall be in addition to, and not in conflict with, other laws and ordinances concerning street or road numbering.

No portion of this Ordinance shall be applied so as to interfere with the activities of any City, Township or Village, and should any application of the provisions of the Ordinance interfere with any affair of any City, Village or Township within Otsego County, said application shall be void and of no effect.

Section 9.0: Saving Clause. The provisions of this Ordinance are hereby declared to be severable; and if any clause, sentence, word, section, paragraph, subparagraph, or provision is declared void or unenforceable, for any reason, by a court of competent jurisdiction, then the remaining portions of said Ordinance shall remain in full force and effect.

Section 9.1: Effective Date. The effective date of this Ordinance shall be sixty days (60) after the date adopted by the Otsego County Board of Commissioners.