

**LEELANAU COUNTY
ADDRESS ORDINANCE**

As Adopted by the
Leelanau County Board of Commissioners
December 19, 1989
with Amendments through
June 16, 2015

**LEELANAU COUNTY
ADDRESS ORDINANCE**

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ARTICLE I - TITLE, PURPOSES, AND LEGAL CLAUSE

Section 1.01 - Title

This ordinance shall be known as the Leelanau County Address Ordinance of 1989, as amended, and referred to as the "Ordinance".

Section 1.02 - Purpose

The purpose of this Ordinance is to establish a uniform county wide system of numbering structures for use as addresses to facilitate locating structures; to protect the public health and safety by enabling a quicker response time by police, fire, ambulance, and other emergency services; to provide for more efficient delivery of county services such as building, soil, and health inspections, tax assessment, data collection, and other county affairs; to provide for means for parcel delivery, common carriers, and mail delivery systems in Leelanau County by:

- A. Creating a formal system with standards and regulations for assigning road names to be administered by the Planning and Community Development office.
- B. Creating a formal system with standards and regulations for assigning addresses to be administered by;
 1. Planning and Community Development- for new structures.
 2. Planning and Community Development - reassigning old addresses new addresses.
 3. Planning and Community Development – road names
- C. Providing for notification of interested parties of assigned new road names and address numbers, and maintain a master record of addresses.
- D. Coordinating the purpose of this ordinance with other county or municipal ordinances.
- E. Provide minimum standards and regulations for display of addresses and road signs.
- F. 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, as amended, being Michigan Compiled Law 46.11 (County Board of Supervisors).

ARTICLE II - DEFINITIONS

Section 2.01 - Purpose

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, association, organization, partnership, trust, company, or corporation, as well as an individual.

Section 2.02 - Definitions

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, Court, Lane, Avenue, Highway, Way, Drive, Street, Alley, etc.) or its abbreviation.

ADDRESS APPEALS BOARD means the body that has the responsibility to hear and decide the appeal of any Address designation which is not resolved administratively by the Planning and Community Development office.

ADDRESS NUMBER means a set of numbers.

PRIVATE ROAD means any road, street, avenue, court, circle, lane, drive, way, route, boulevard, track, two track, cul-de-sac, and any other applicable designation which affords a means of travel and vehicular access to abutting property, and is not maintained by the county road commission.

ROAD means any road, street, highway, avenue, court, circle, lane, drive, way, route, boulevard, track, two track, cul-de-sac, and any other applicable designation which affords a means of travel and vehicular access to abutting property.

ROAD NAME means the proper name of a road, including a general suffix.

STRUCTURE means anything constructed, erected or placed with a fixed location on the ground and includes, but is not limited to, dwellings, houses, mobile homes, businesses, and buildings which may have need or cause to have an address.

ARTICLE III - ROAD NAMES

Section 3.01 - Road Names

The Planning and Community Development office shall be the agency with exclusive authority to name roads in the unincorporated areas of the county.

Section 3.02 - Non-Duplication

A road shall not be given a road name which duplicates the road name of any other road in the county, excluding the prefix and excluding the suffix.

Section 3.03 - Highway and Route Numbers

A road name shall not be given a highway number or county route number. Such highways and routes shall receive a road name to be used in conjunction with an address.

Section 3.04 – Naming Roads and Changing Existing Road Names

A. An official name for a private road will be approved by the Leelanau County Planning and Community Development office when:

1. The private road services five (5) or more residences, or
2. The location and/or length of the private road is such that for safety and emergency - purposes, it is more appropriate to name the private road than to assign addresses from the main road.

B. The existing road name, or the name applied to a right-of-way as shown on an approved preliminary plat or recorded plat, shall be changed only when one of the following occurs:

1. Road construction has resulted in the extension of a road to another road so that both roads are joined in such a manner that both roads may be considered one road.
 - a) In the instance of changing a road name, one of the two existing road names shall be used. The Planning & Community Development Office shall determine which road name is used based on:
 - i) The road name which results in the fewest number of address changes.
 - ii) The road name which is oldest.

2. Properly petitioned (see Section 4.06)

Section 3.05 - Notification of Road Names

The Planning and Community Development office shall notify interested persons whenever a road is named for the first time, and whenever an existing road name is changed:

- A. In the case of naming roads or road right-of ways as part of the process of approving a preliminary plat or final plat, the record in the Leelanau County Register of Deeds Office shall be of sufficient notice.

- B. In cases of naming roads for the first time, written notice shall contain:
 - 1. The new road name.
 - 2. The former road name.
 - 3. A structure's new address
 - 4. The extent of the road the road name is to be applied to.

- C. Notices shall be sent to the following interested persons:
 - 1. The respective municipal government body
 - 2. The Planning and Community Development office
 - 3. County Sheriff Office
 - 4. Fire Departments
 - 5. Ambulances/Rescue Services
 - 6. U.S. Post Office
 - 7. Residents, occupants, and owners who will have an address on the road
 - 8. County Equalization Department and County Clerk
 - 9. All utilities providing service to the area
 - 10. Emergency Management / 9-1-1

ARTICLE IV - ADDRESS NUMBERING

Section 4.01 - Planning and Community Development

The Planning and Community Development office shall be the agency with exclusive overall administrative and coordination responsibility to administer the initial implementation of this ordinance. The Planning and Community Development office shall be the agency with exclusive overall administrative and coordination responsibility to administer this ordinance following initial implementation.

Section 4.02 - Non-Duplication

An address shall not duplicate an address for any **structure** considered to be along the same road.

Section 4.03 - Address Numbering System

The address numbering system shall be structured as follows:

- A. Within Leelanau County there shall be a baseline which shall be the south section line of Sections nineteen (19) through twenty-four (24) of the respective Townships of Leland and Suttons Bay (T.30 N., R.12 W.; and T.30 N., R.11 W.).
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 or south. Such 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 sides of roads, odd numbers shall be on the westerly sides of roads.
 - b. South of the baseline, even numbers shall be on the westerly sides of roads, odd numbers shall be on the easterly sides of roads.
 2. Roads which are not traveling due north-south or meander shall be numbered as a north-south road if the major portion of the road within Leelanau County runs north-south. Once a north-south road has address numbers assigned to **structures** then that road shall always be considered to be a north-south road.
 3. Address numbers south of the baseline shall be affixed with the prefix "south", and address numbers north of the baseline shall be affixed with the prefix "north" to avoid duplication of address numbers.
- B. Within Leelanau County there shall be a meridian line which shall be the west section line of sections two (2), eleven (11), fourteen (14), twenty-three (23), twenty-six (26), and thirty-five (35) of the respective Townships of Cleveland and Kasson (T.29 N., R.13 W.; and T.28 N., R.13 W.)
1. In both directions from this meridian line, address numbers shall be evenly spaced, 1,000 per mile, so that when following a easterly-westerly road one reaches address number 1,000 when arriving at the next section line east or west. Such 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 sides of roads, odd numbers shall be on the northerly sides of roads.
 - b. West of the meridian even numbers shall be on the northerly sides of roads, odd numbers shall be on the southerly sides of roads.

2. 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 Leelanau County runs east-west. Once an east-west road has address numbers assigned to **structures** then that road shall always be considered to be an east-west road.
 3. Address numbers east of the meridian shall be affixed with the prefix "east", and address numbers west of the meridian shall be affixed with the prefix "west" to avoid duplication of address numbers.
- 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. Upon determination of the Planning and Community Development office, 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 side of the base and meridian line where the two systems mesh.
 2. The system is **definable** and can be administered and maintained for future construction of **structures**.

Section 4.04 - Changing Address Numbers

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:

- 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 the existing number is such that the assignment of address numbers for new **structures** is not practical and in keeping with the requirements.
- C. When a new road is constructed, or recognized, which results in the most appropriate address for a **structure** to be on the new road rather than the original road such as where a **structure** is previously on land locked property and for example, then has a new road built to service it.
- D. If it is determined that an address needs to be changed for safety and emergency purposes. Emergency Services and local Fire/Rescue will be consulted to see if a change is needed for safety and emergency purposes.

Section 4.05 - Notification of Address

The Planning and Community Development office shall be the recipient of applications for new addresses. The Planning and Community Development office shall change addresses when an address violates the house numbering system plan, or is required under Section 4.04.

- A. Prior to the issuance of a construction permit the Planning and Community Development office shall assign addresses and provide the person with a form containing:
 1. The **structures** address number.

2. Road name.
 3. Compass designation.
- B. The person shall make use of this form, or copies, to notify in turn utilities, post office, or other interested persons.
- C. Leelanau County Construction Codes shall not issue a construction permit until after an address has been issued for the proposed **structure**.
- D. The Planning and Community Development office shall assign addresses in the original instance after adoption of this ordinance.
- E. In cases where an existing address number is changed, the Planning and Community Development office shall send a written notice to each resident, occupant, or person with an affected address on the road and to the owner, if different, of **structures** with a change of address form within ten days by mail, or personal delivery.

Section 4.06- Appeals of Address Designations

Whenever any Address, Address Number, or Road name is changed pursuant to this Ordinance, or upon issuance of an original Address pursuant to this Ordinance; any person who is affected by such action shall have the right to appeal such Address designation in accordance with this Section.

Initial Review Process

All complaints and/or appeals of any Address designation shall be first submitted to the Leelanau County Planning and Community Development office on a form as prescribed by that Department. Such forms shall be made available to the public at no cost and shall contain, at a minimum, the following information: the appellant's name and mailing address; relationship to the Address in dispute; the Address as designated under this Ordinance; and reason for the complaint or appeal. The Planning and Community Development office shall review the Address in question to determine whether an error has occurred and whether the Address designation is in compliance with this Ordinance. Within five business days of receipt, the Planning and Community Development office shall review the Address designation with the Emergency Services Coordinator and any other agencies necessary to review the implications of the appeal on safety and emergency services.

Written notification of their review and decision shall be mailed to the appellant. The Planning and Community Development office is hereby empowered to administratively remedy any errors discovered and so notify the affected property owners.

Section 4.07 - Address Appeals Hearings

- A. The Leelanau County Planning Commission serves as the Address Appeals Board and is hereby assigned the responsibility of hearing and deciding the appeal of any Address designation which is not resolved administratively by the Planning and Community Development office.
- B. The Planning Commission shall conduct all appeal hearings in conformity with rules and regulations as adopted by the Leelanau County Board of Commissioners. The concurring vote of a majority of the members appointed shall be necessary to revise any Address Designation, or to decide in favor of appellant on any appeal. All meetings and

records shall be open to the public and held in accordance with the Open Meetings Act.

Section 4.08 - Appeal Process

- A. Any person who is affected by an Address designation and whose complaint or appeal is not resolved by the Planning and Community Development office shall have the right to file an Appeal before the Planning Commission. Appeals shall be filed with the Leelanau County Planning and Community Development office on a form as prescribed by that Department along with an appeals fee of one hundred dollars (\$100.00) to defray the costs incurred by the processing of the appeal.
- B. All such appeals, and payment of the required fee, shall be made within twenty-one (21) days from the date the Planning and Community Development office mails its decision pursuant to the Initial Review Process, or the address remains as designated.
- C. Upon receipt of a proper appeal and fee, the Planning and Community Development office shall schedule an appeal hearing before the Planning Commission and shall notify the appellant and all Commission members in writing at least seven days prior to the scheduled appeal hearing.
- D. The Planning Commission shall have the power to:
 1. Interpret, as required, the provision of this Ordinance in such a way as to carry out the intent and purpose of this Ordinance.
 2. Revise, alter, or change any address designation, including any Address Number or Road Name, so long as such revision, alteration, or change is in conformity with this Ordinance. In deciding upon any revision, alteration, or change, the Planning Commission shall consider the impact of such a decision upon other property owners; including the number of persons whose address designation would be altered by such decision.
- E. Any decision of the Planning Commission shall be final, subject only to Circuit Court action in compliance with applicable State law.

Section 4.09 - Master Address File

- A. The Road Commission and Planning and Community Development office shall keep co- jointly a master index of the proper names of each road in Leelanau County. The proper names shall be reflected on the certified set of maps filed by the Road Commission with the Michigan Department of Transportation, pursuant to Act 51, P.A. 1951 as amended, being MCL 247.651.

Assigned addresses will be entered on the appropriate tax property number in the County's tax database, after assignment. The County Planning and Community Development office shall keep a copy of all assigned addresses, road names, and change of address and/or road names.

ARTICLE V - DISPLAY OF ADDRESS & ROAD SIGNS

Section 5.01 - Regulation

The Leelanau County Construction Codes shall be the agency with exclusive overall administrative and coordination responsibility to administer the Display of Addresses and Road Signs. The Construction Codes has the authority to withhold or revoke any permits, including Certificate of Occupancy permits, if any portion of Article V is not complied with, or if an individual intentionally removes an Address or Road Sign after a permit has been issued.

Section 5.02 - Display

- A. All **structures** shall bear a distinctive street number in accordance with this ordinance.
- B. Any owner of any **structure** shall place upon the street front of such structure a designated number, such that:
 1. Numbers on **structures** shall be displayed in such a manner as to be plainly visible from the road. Numbers in block or script displayed on building fronts shall be of a contrasting and/or reflected color to their background and, for addresses issued, or numbers installed, prior to the effective date of this Ordinance, shall be not less than three (3") inches in height. However, when a Building Permit is required for any property due to new construction or any remodeling, then the requirements of the Michigan Building Code must be complied with.
 2. For addresses issued, or numbers installed, after the effective date of this Ordinance, or when a Building Permit is required for any property due to new construction or any remodeling, then the requirements of the Michigan Building Code shall be applicable, as follows:

SECTION R319 SITE ADDRESS

R319.1 Address numbers. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm). Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

Michigan Building Code

[F] 501.2 Address identification. New and existing buildings shall be provided with approved address numbers or letters. Each character shall be a minimum 4 inches (102 mm) high and a minimum of 0.5 inch (12.7 mm) wide. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the **structure**.

3. Directional signage is required for any structure located off the main road or that requires specific knowledge to locate. This also applies to any driveway or private road that services multiple structures or owners. Directional signs shall be placed at all “Y”s and driveways.
- C. New roads shall have permanent road signs posted within thirty (30’) days of the date of approval given by the Leelanau County Planning and Community Development office, and must be installed before any permits are issued by the Leelanau County Construction Code. Road signs for private roads are the responsibility of the owners residing on the private road, and the road signs shall match the signs used by the Road Commission for placement and height, and shall display the road name on both sides.
 - D. The property owner(s) are required to maintain the road signs and addresses, including replacement of damaged or missing letters or numbers, re-painting, and installation of replacement signs for those that are damaged or destroyed.
 - E. Official colors for county road signs will be green with white lettering. Official colors for private road signs will be blue with white lettering.

If the property owner has a mailbox at the road, the address can also be posted on the mailbox for delivery purposes. Posting of an address on a mailbox DOES NOT meet the requirements of Article V, Display of Address.

ARTICLE VI - EFFECTIVE DATE

Section 6.01 - Enforcement; Municipal Civil Infractions; Civil Fines.

- A. Pursuant to the authority set forth in Michigan Compiled Laws 46.10b(3); 46.11 (j), and 600.8701 *et seq.*, a violation of any provision of this Ordinance shall be a municipal civil infraction.
- B. The sanction for any violation of this Ordinance, which is a municipal civil infraction, shall be a civil fine as provided herein, plus any cost, damages, expenses and other sanctions, as authorized under Chapter 87 of 1961 PA 236. as amended, being MCL 600.870 I *et seq.* and other applicable laws.
- B. Director of the Leelanau County Construction Codes Department and other persons specifically designated by the County Board of Commissioners are the County officials authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of this Ordinance.
- D. In addition to enforcement of violations of this Ordinance as municipal civil infractions, enforcement of violations of this Ordinance may be accomplished by civil action, along with any other remedies provided by law. Violation of this Ordinance is hereby declared a nuisance, per se, and adjudication of responsibility for a municipal civil infraction violation of this Ordinance shall not preclude other civil proceedings to abate such nuisance.
- E. Each day that a violation exists constitutes a separate infraction.

F. The County Board of Commissioners shall by Resolution adopt a schedule of fines for violations of this Ordinance, which may be amended by subsequent Resolution. For purposes of establishing an initial schedule of fines, the following schedule is adopted.

1. Fines for Municipal Civil Infraction Citations

- a. A person, corporation or firm who violates any provision of this Ordinance and is found responsible at the district court for a municipal civil infraction citation shall pay a civil fine of \$5.00, for each infraction.
- b. Repeat offenses shall be subject to increased fines as set forth below. As used in this subsection, "repeat offense," means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision of this Ordinance, committed by a corporation, person or firm within any 24-month period and (b) for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense shall be as follows:
 - (i) The fine for any offense that is a repeat offense shall be \$5.00.
 - (ii) The fine for any offense that is a second repeat offense shall be \$5.00.
 - (iii) The fine for any offense that is a third or subsequent repeat offense shall be \$5.00.

2. If a person provides proof that the violation was corrected within thirty (30) days of the date of the issuance of the civil infraction citation, the fine and costs may be waived.

Section 6.02 - Effective Date

This Ordinance shall take effect on June 16, 2015 after adoption by the Leelanau County Board of Commissioners and publication as required by law. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Carolyn Rintubach

Chairperson
Leelanau County Board of Commissioners

I, Michelle Crocker, Clerk of the County of Leelanau, hereby certify that the forgoing ordinance was introduced and adopted at a session of said Board convened in the Leelanau County Courthouse on June 16, 2015 by a vote of the members present.

Michelle Crocker

Michelle Crocker
Leelanau County Clerk

