

VILLAGE OF BANCROFT
ORDINANCE NO. 304 -19
(Dated September 11, 2019)

ORDINANCE ESTABLISHING PROPERTY ADDRESS ASSIGNMENT PROCESS

The Village of Bancroft ordains:

In order to assign and maintain building and property addresses throughout the Village of Bancroft and to provide for easy identification of buildings and properties for various purposes including, but not limited to, County-wide 911 service and to promote the health, safety, and welfare of the citizens of the Village of Bancroft ordains as follows:

ARTICLE I

Section 1.01 - Purpose - The purpose of this Ordinance is to establish and maintain a formal, legally based Village-wide system of assigning addresses to buildings and properties to facilitate the identification of buildings and properties 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 public services such as property inspections, property tax administration, property mapping, and other public affairs; and to provide for efficient parcel delivery, and U.S. Postal delivery in the Village of Bancroft by:

- A. Creating a formal, legally based, addressing system with standards and regulations for assigning addresses.
- B. Creating a coordinated system with standards for the naming of public streets and private drives.
- C. Providing for notification of interested parties of assigned address numbers and street names.
- D. Providing minimum standards and regulations for display of addresses.
- E. Providing for the creation of a master record of addresses along with other information necessary to locate buildings on properties and to reserve addresses or address ranges for properties.
- F. Providing for the enforcement of this Ordinance.
- G. Providing for an appeal process of this Ordinance.

Section 1.02 - Legal Basis - This Ordinance is enacted pursuant to MCL §67.1a.

Section 1.03 - Administrator - The Village President or the President's designee shall be the Address Ordinance Administrator ("Administrator"). The Administrator shall hold the position until his or her successor is appointed. The Administrator shall have 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, association, 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 "Webster's Ninth New Collegiate Dictionary, principal copyright 1983".

ADDRESS means the combination of a set of numbers and a street prefix (N. S. E. W.), a street name, and a street suffix (such as Street, Court, Lane, Avenue, Highway, Way, Drive, Street, Alley, etc.) or its abbreviation.

ADDRESS NUMBER means a set of numbers used to provide specific identification.

ASSIGNED SITE FACILITY means a specific location with at least one observable man-made improvement which either requires an address for one or more utility services, or is requested to have an address (e.g. oil or gas wells, irrigation wells, telephone equipment sites, electric power substations, pipeline pumping stations or other service points, cemeteries, public or private dams, etc.)

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

ADMINISTRATOR is the person who has overall responsibility for administration and coordination of this ordinance, including enforcement.

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

PROPERTY OWNER shall mean the owner as designated on the assessing records of Village of Bancroft or Shiawassee County.

STREET means any vehicular way which is a state, county, or municipal street or is shown on an approved and recorded subdivision plat, condominium development, manufactured home park, or is a private drive, two track, or easement that serves more than two (2) existing lots.

STREET NAME means the proper name of a street, including a general prefix or suffix.

STREET PREFIX means a compass or directional designation of a street being north, south, east, or west (or abbreviations for the same).

STREET SUFFIX means the type or classification of a street (e.g. Street, Court, Lane, Avenue, Highway, Way, Drive, Street, Alley, etc.) or its abbreviation.

ARTICLE III - STREET NAMES

Section 3.01 - Administrator Approval - The Administrator shall approve the naming of newly established public or private streets within the Village which are subject to this Ordinance and streets in proposed plats, condominiums developments, or manufactured home parks.

Section 3.02 - Similar Street Names - The Administrator shall not approve a street name which is the same or similar in spelling or pronunciation to an existing street within the Village of Bancroft.

Section 3.03 - Naming of New Streets - A property owner, developer, surveyor, or plat proprietor shall make application to the Administrator for approval of a proposed street name. Upon receipt of the street name application, the Administrator shall review the proposed name with any other municipal agencies with street jurisdiction, and any other appropriate governmental agency.

The Administrator 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 Administrator may provide applicants with a list of the existing approved street names in the Village of Bancroft for the convenience of the applicant.

Section 3.04 - Private Drives and Easements - Unnamed private drives and easements in existence prior to the adoption of this ordinance shall be named when two (2) or more addresses exist or are established on such drives. If the house addresses are numbered off of the adjoining public street, they shall be changed to appropriate addresses using the private street name. In the event buildings front on a public street they shall be addressed on the public street rather than on a private drive. The Administrator shall apply the conditions of Section 3.03 for approval.

The Administrator shall coordinate the naming of new private drives at the time application is received when two (2) or more buildings exist or are established on such drives on separate lots.

The owners/residents shall be consulted before a name for the private drive is selected and approved. The selection of a name for a private drive shall be coordinated with staff of the Village of Bancroft, other municipal agencies with street jurisdiction, and any other appropriate governmental agency.

It is the responsibility of the owners/occupants with addresses on the private drive to erect and maintain a sign that meets Village of Bancroft specifications. Specifically, the proposed sign needs to meet Michigan Manual of Uniform Traffic Control Devices (MMUTCD) standards. The sign shall be at the intersection of the private drive and the adjoining public street clearly showing the name of the private drive. Location of the private street sign is also to be approved by the Village of Bancroft Department of Public Works and if appropriate, the Shiawassee

County Road Commission. Lettering of these signs should be similar to Village of Bancroft street name signs and shall contrast with the background color of the sign. The lettering shall include the word "Private" or the abbreviation "PVT" to distinguish this street from public streets.

ARTICLE IV - ADDRESS NUMBERING

Section 4.01 - Administrator Approval - The Administrator shall have overall jurisdiction over address numbers and shall ensure that an address number does not duplicate the number for any building or assigned site facility considered to be along the same street.

Section 4.02 - Master File & Master Address Map - The Administrator shall keep a master file of assigned addresses and corresponding property code 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 generally be used except when other existing municipal systems are more appropriate as determined by the Administrator.

Within the Village of Bancroft, there shall be a North-South baseline, which shall be Warren Street. In the northerly direction from this baseline of Warren Street, address numbers shall be evenly spaced, 100 per block, so that when following a northerly-southerly street one reaches address number 100 when arriving at the first block to the north of Warren Street. Such address numbers shall continue in the same manner by 100 whole numbers for each block of the Village. North of the Warren Street baseline, even numbers shall be on the easterly side of streets, odd numbers shall be on the westerly sides of streets. In the southerly direction from this baseline of Warren Street, address numbers shall be evenly spaced, 100 per block, so that when following a northerly-southerly street one reaches address number 100 when arriving at the first block to the south of Warren Street. Such address numbers shall continue in the same manner by 100 whole numbers for each block of the Village. South of the Warren Street baseline, even numbers shall be on the westerly side of streets, odd numbers shall be on the easterly sides of streets.

Streets which are not aligned generally due north-south or meander shall be numbered as a north-south street if the major portion of the street within the Village runs north-south. Once a north-south street has address numbers assigned to buildings then that street shall always be considered to be a north-south street.

Within the Village of Bancroft, there shall be a East-West baseline, which shall be North/South Main Street. In an easterly direction from this North/South Main Street baseline, address numbers shall be evenly spaced, 100 per block, so that when following an easterly-westerly street one reaches address number 100 when arriving at the next street East. Such address numbers shall continue in the same manner by 100 whole numbers for each block of the Village.

East of the North/South baseline, odd numbers shall be on the northerly sides of streets, even numbers shall be on the southerly sides of streets. West of the North/South Main Street baseline,

even numbers shall be on the north side of streets, odd numbers shall be on the south side of streets.

Streets which are not traveling due east-west or meander shall be numbered as an east-west street if the major portion of the street within the Village of Bancroft runs east-west. Once an east-west street has address numbers assigned to buildings then that street shall always be considered to be an east-west street.

Addresses north of Warren Street shall be followed with a prefix "North" (e.g. 150 North Shiawassee Street), and addresses south of Warren Street shall be followed with a prefix "South" (e.g. 150 South Shiawassee Street) to avoid duplication of addresses.

Address numbers shall be assigned so they run consecutively starting at each baseline so that numbers are not out of sequence.

Upon determination of the Administrator, address numbers in common use prior to the adoption of this Ordinance may continue to be used if:

The existing address numbers run consecutively in the same direction as the Village address system for that block of the Village.

The system is definable and can be administered and maintained for future construction of buildings and assigned site facilities without undue administrative and maintenance difficulties.

Other County or Municipal numbering systems shall be used in place of the above system upon approval of the Administrator, provided that only one numbering system shall be used for both sides of a defined street segment.

Section 4.04 - Address Issuance - If a property is determined to be in compliance with this Ordinance and applicable local and state laws or regulations the Administrator shall issue an address for the property upon submission of a site plan describing the location of an existing or proposed structure (or existing or proposed assigned site facility) by the owner or the owner's representative. The site plan shall reasonably indicate the structure's front and side yard setbacks. The property owner shall receive an address identification card which shall be issued by the Administrator and which shall contain:

- A. The building's (or assigned site facility's) address number.
- B. The street prefix (if any).
- C. The street name.
- E. The street suffix.
- F. The date of issuance.
- G. The owner's or owner's representative's name.
- H. The parcel identification number.

Section 4.05 - Fees - It shall be the policy of the Village to provide the service of issuing addresses at a cost as set forth from time to time in a fee schedule for addressing adopted by resolution of the Village Council.

Section 4.06 - Notice and Enforcement - The Administrator is responsible for insuring that the proper notice and enforcement procedures are followed.

When a person submits a site plan in order to obtain an address, the Administrator shall assign an address and provide the person with a form containing:

- A. The building's (or assigned site facility) address number.
- B. The street prefix (if any)
- C. The street name.
- D. The street suffix.

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.

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 street that is named in the address. The address numbers shall be displayed at a height of at least four (4') 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 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 street 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 in one of the following manners:

- A. On a sign or attached to a fence, tree, or post located within twenty (20') of the centerline of the driveway and between ten (10') feet and twenty (20') feet back from the edge of the traveled portion of the street provided that any sign used to comply with this Ordinance must also comply with applicable zoning regulations concerning the location and size of signs.
- B. On both sides of a mailbox located within twenty (20') feet of the centerline of the driveway on the same side of the street as the principal building or within ten (10') feet of the extended centerline of the driveway on the opposite side of the street 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 U.S. Post Office and either the Shiawassee County Road Commission or the Village Department of Public Works, which agency maintains that street.

ARTICLE VI - ADDRESS MODIFICATIONS

Section 6.01 - Request for Address Modification - A modification to an existing numeric address or street name shall be initiated by an authorized representative of the Village contacting the Administrator in writing and indicating that a modification should be considered and the reason(s) for the modification. Upon the receipt of such a written request, the Administrator shall, at the Village's cost, provide notice by first class mail, in the form set forth in Exhibit B to every property owner potentially affected by the address modification at least twenty one (21) calendar days prior to the proposed date of the action by the Village Council. The Administrator shall also, at the Village's cost, publish notice on the Village website and in at least one paper of general circulation in the area to be affected by the potential change that a public hearing will be held by the Village Council. Such notice shall appear prior to the adoption of any resolution by the affected governmental unit requesting an address modification. The public hearing may take place on the date set for the action to request a change by the Village.

A property owner who does not put a change of address in with his/her Post Office and who does not display the new correct address as set forth herein will be in violation of this ordinance and subject to penalty as provided by resolution of the Village Council.

6.02 – Numeric Modification - It shall be the intent of this ordinance to discourage the practice of making any numeric modification in addresses except:

- A. If the existing address number is not in sequence and/or does not run consecutively in the same direction as the Village and/or Shiawassee County address system.
- B. If the existing number is such that the assignment of address numbers for new building is not practical in keeping with the requirements of this ordinance. Addresses out of range by more than 35 (+/-) numbers shall be changed as needed to correct range and to accommodate new growth.
- C. When an address is duplicated or otherwise violates this ordinance.
- D. If the existing address number creates confusion relative to the dispatch of emergency services by Shiawassee County.

6.03 – Procedure for Numeric Modification. - In the case of a numeric change, the following procedure shall be followed by the Administrator:

- A. The reason for the numeric change shall be documented with date and certified resolution of the affected governmental unit.
- B. A new numeric address shall be determined by the Administrator using the Village address standards.
- C. The property owner(s) shall be contacted in written form using the Village's assessing information to identify property ownership. The property owner shall have thirty (30) calendar days from the date the notice is mailed to appeal in

writing to the Administrator if he/she disagrees with the change. The notice shall state the date by which the appeal must be filed and where it must be filed. If no appeal is received by the Administrator within the thirty (30) day period, the change shall take place forty-five (45) days after the date of mailing of the initial notice. If an appeal is filed within the thirty (30) day period by any property owner(s) affected by the change, then all action to change the numeric designation shall be stayed until the completion of any appeal as set forth in Section 6.08 herein.

6.04 – Street Name Modification. - It shall be the intent of this ordinance to discourage the practice of making any street name modification in addresses except:

- A. The name is a duplicate of another road/street within the Village or Shiawassee County,
- B. If the existing address number creates confusion relative to the dispatch of emergency services by Shiawassee County and Shiawassee County indicates the same by a certified resolution of its County Commissioners.
- C. When one street has two commonly used names or where portions of what appears to be the same street have two or more names, or
- D. When the existing street name is inconsistent with the County certified road name on file with the State of Michigan and the County Road Commission indicates the same by a certified resolution of its Board of Directors.

6.05 Procedure for Street Name Modification - In case of a street name change, the following procedure shall be followed by the Administrator:

- A. The reason for the street name change shall be documented with date and certified resolution of the affected governmental unit.
- B. The Administrator shall determine the section of the street affected and the street name to be used using the Village address standards.
- C. The property owner(s) shall be contacted in written form using the Village's assessing information to identify property ownership. The property owner shall have thirty (30) calendar days from the date the notice is mailed to appeal in writing to the Administrator if he/she disagrees with the change. The notice shall state the date by which the appeal must be filed and where it must be filed. If no appeal is received by the Administrator within the thirty (30) day period, the change shall take place forty-five (45) days after the date of mailing of the initial notice ("effective date"). If an appeal is filed within the thirty (30) day period by any property owner(s) affected by the change, then all action to change the street name designation shall be stayed until the completion of any appeal as set forth in Article VI herein.

6.06 – Notification of Numeric and/or Street Name Modification - When a person's address is modified (numeric change or street name) pursuant to this Ordinance and no appeal is filed, the Administrator shall on or after the effective date notify the property owner on a form that

contains the following:

- A. The old address,
- B. The new address,
- C. The reason for the change,
- D. The effective date of the change.

A request that the property owner voluntarily comply with the address change within a thirty (30) day period of time after the effective date.

6.07 – Notice of Violation - If the resident has not properly displayed the new number and otherwise complied with the requirements of this Ordinance within thirty (30) days after the effective date, the Administrator or enforcing official shall send or hand deliver a notice of violation of this Ordinance.

For violations of this Ordinance, if the Administrator delivers a notice of violation stating the amount of time, which shall not exceed thirty (30) days, during which the resident and/or owner must comply with the Ordinance.

If the violation remains at the end of the prescribed period of time, the Administrator or other enforcement official shall issue a citation to the resident and/or owner of the property.

6.08. Notification to Agencies - After the effective date, the Administrator shall notify the following agencies of the address change:

- A. Any servicing electric company.
- B. The post office.
- C. The County Health Department.
- D. The local emergency service provider(s).
- E. The local school district.
- F. The Intermediate School District.
- G. The Shiawassee County Road Commission.
- H. Shiawassee County Equalization Department/GIS Department.

Section 6.09 - Appeal of Numeric or Name Modification - In the event of an appeal of a numeric or street name modification, the Administrator shall forward the appeal(s) to the Village Clerk (or designee) who shall be responsible for ensuring that the appeal process takes place as set forth herein. All property owner(s) affected by the modification shall be notified of the appeal and the time and date of the appeal hearing. An Appeal Board, consisting of three representatives of the Village Council, not including the Administrator, shall hear the appeal.

Section 6.10 – Appeal of Administrative Decision - The Appeal Board shall have the power to affirm, reverse or modify the decision of the Administrator after conducting a hearing at which the property owner(s) filing the appeal or any property affected by the change/appeal and the Administrator are permitted to testify. Representative(s) of the Village shall also have the right 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 Appeal Board may reverse the decision of the Administrator or remand the matter back to the Administrator with instructions for corrective action. When the findings of fact support a decision that an action or actions of the Administrator has created an unnecessary hardship, the Appeal Board may allow an extension of time not to exceed 180 days to comply with the administrative order of the Administrator. The Appeal Board shall comply with the requirements of the Michigan Open Meetings Act.

Section 6.11- Proceedings Upon Conclusion of Appeal - Upon the conclusion of any appeal, the Administrator shall notify the property owner(s) affected of the outcome of the appeal and proceed to either (a) provide the notices set forth in Section 6.05 or (b) notify the property owner(s) of such other action as may be taken upon the order of the Appeal Board.

ARTICLE VII - PENALTIES AND EFFECTIVE DATE

Section 7.01 – Penalties - It is a municipal civil infraction for any person to violate any provision of this Ordinance, and upon being found responsible, shall be subject to a municipal civil infraction with a fine set by resolution of the Village Council. If the person ticketed comes into compliance with the ordinance within the time to appear in court, the Administrator shall dismiss the ticket.

Section 7.02 – Effective Date - This Ordinance shall be effective immediately upon publication of notice of adoption in a newspaper of general circulation in Shiawassee County.

ARTICLE VIII - 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 VIII - 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 of competent jurisdiction, the remaining portions of this Ordinance shall remain in force. All ordinances or parts of ordinances of the Village of Bancroft in conflict with any of the provisions of this Ordinance are hereby repealed.


Adopted at a regular Meeting of the Village Council held on the 11th day of September 2019.

YEAS: Terpening, Bible, Wert-Fuller, A. Miller, R. Miller, Barnum

NAYS: none

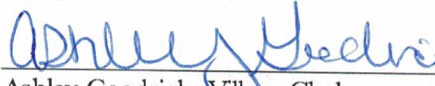
ABSENT: Hutchins

Signed:


Brian Barnum, Village President

CLERK'S CERTIFICATION

I certify that the above is a true and complete copy of Ordinance No. 30419 adopted by the Village Council at a regular meeting held on the 11th day of September 2019 and published in the Argus Press newspaper on October 18th, 2019.



Ashley Goodrich, Village Clerk

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