

MANISTEE COUNTY ADDRESSS ORDINANCE OF MARCH 1985

Annotated

Effective date: August 1, 1985 at 12:01 a.m.

Amended Date: October 18, 2022

This copy printed: October 18, 2022

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ARTICLE 1: TITLE, PURPOSES AND LEGAL CLAUSES

101. Title

This ordinance shall be known as the "Manistee County Address Ordinance of March 1985", and further shall be known in the short form as the "Address Ordinance", hereinafter referred to as the "Ordinance".

102. Purpose

This Ordinance is to establish a uniform county-wide system of numbering buildings for use as addresses to facilitate locating buildings and houses; to protect the public health and safety by providing a systematic method of address numbering to enable faster response and location of a building by county agencies and authorities in the event of an emergency by fire, ambulance, police and other county and municipal emergency agencies; to provide a system of locating structures for purposes of county functions including but not limited to building, soil, health inspections, tax assessment, data collection and other county affairs; to protect and promote the general welfare of the county to provide more efficient means for the general public, parcel delivery, common carrier and mail delivery services in as much as the efficient operation of those services is vital to the communication and economic welfare of the county and where more efficient provision of said services is more energy efficient and of value to the welfare of the county and the State of Michigan by:

- A. Defining certain terms used herein;
- B. Creating a formal system to name roads in the county, providing an agency with exclusive jurisdiction in assigning road names, and providing for standards and regulations to be applied in naming roads;
- C. Creating a formal address numbering system in the county, providing for an agency to have exclusive jurisdiction in assigning addresses, and providing for standards and regulations for address numbering;
- D. Providing for notification of interested parties of assigned road names and address numbers; and maintaining a master record (maps) of addresses;
- E. Coordinating the function of this ordinance with other county or municipal ordinances, state statutes, and providing for this ordinance to create the only address system in the county dealing with road naming and address numbering;
- F. Providing minimum standards and regulations for the display and use of the addresses;
- G. Providing for the enforcement of this ordinance, penalties for violations, and other matters pertinent to this ordinance.

103. 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 Boards of Supervisors).

ARTICLE 2: DEFINITIONS

201. Purpose

For purposes of this Ordinance certain terms are herewith defined. When not inconsistent with the context, the present tense includes the future, words used in the singular number include the plural number. The word "shall" is always mandatory and not merely permissive. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

202. Undefined Words

Any word not defined herein shall be interpreted within its common and approved usage.

203. Definitions

ACT 51 ROAD means all public roads, streets, and highways in the County, outside of incorporated areas, that are under the authority of the Manistee County Road Commission.

[Annotation: Added by Amendment October 18, 2022]

ADDRESS means a set of numbers, and a compass designation, if applicable, and a road name used in combination as one statement of location.

ADDRESS NUMBER means that part of an address which consists of a set of whole numbers determined pursuant to this ordinance and, if applicable, a compass designation.

COUNTY CODE ENFORCEMENT OFFICER individual who has the authority to exercise the provisions of this ordinance.

[Annotation: Added by Amendment October 18, 2022]

FOOTPRINT the area occupied or previously occupied by a structure.

[Annotation: Added by Amendment December 21, 2021]

INCORPORATED MUNICIPALITY means incorporated villages and cities created under Michigan law.

INCORPORATED ROAD means any road or portion thereof falling within an incorporated municipality that is not an Act 51 road.

[Annotation: Added by Amendment October 18, 2022]

MUNICIPALITY means villages, cities and townships.

PLAT means a map of and other information about a subdivision of land, which is drawn and information compiled, approved, and recorded in conformity with Michigan Public Act 288 of 1967, as amended, being Michigan Compiled Laws 560.101 et. seq., the Subdivision Control Act.

PLANNING COMMISSION means the Manistee County Planning Commission created pursuant to Michigan Public Act 282 of 1945, as amended, being Michigan Compiled Laws 125.101 et. seq., the County Planning Act.

PLANNING DEPARTMENT means the department within Manistee County government which is under the direction, supervisory and policy control of the Planning Commission and provides professional staff to the Planning Commission.

PRIVATE DRIVEWAY a road that is shorter than one eighth of a mile, and provides access to no more than two structures.

[Annotation: Added by Amendment December 21, 2021]

PRIVATE ROAD a road that is one eighth of a mile or longer, and provides access to three or more structures or is evidently planned for development of three or more structures, that is not an Act 51 Road.

[Annotation: Added by Amendment December 21, 2021]

[Annotation: Modified by Amendment October 18, 2022]

ROAD means any road, street, highway, lane, drive, new, avenue, boulevard, two-track, court, cul-de-sac, circle, way, route, track, artery, and so on which affords a means of travel and ingress or egress to abutting property, whether public or private.

ROAD COMMISSION means the Manistee County Road Commission, or its chief engineer and staff if the Road Commission elects to delegate, created pursuant to Michigan Public Act 283 of 1909, as amended, being Michigan Compiled Laws 224.1 et. seq., the General Highway Law Chapter IV County Road Law.

ROAD NAME means that part of an address which is the proper name of a road, including a general suffix such as those listed for the definition of "road" in Section 203 of this Ordinance.

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, buildings, municipal pumping or substations or booster stations, and so on, which may have need or cause to have an address, but not structures clearly accessory to a principal structure excluding accessory dwelling units.

[Annotation: Modified by Amendment December 21, 2021]

SUBDIVISION means an area of land which has been divided by means of filing a plat.

UNIT is a portion of a structure with need or cause to have an address assigned to it or one module of a group of addressable structures. Including but not limited to apartments, condos, flats, suites, rooms, rentals, studios, penthouses, lodgings, camp sites, pump or charging stations, etc.

[Annotation: Added by Amendment December 21, 2021]

UTILITY means a person or a municipal or other public authority which provides power, water, or sewer.

[Annotation: Modified by Amendment December 21, 2021]

VACANT LAND is any portion of land that doesn't currently contain a structure and is removed of all building materials including the foundation.

[Annotation: Added by Amendment December 21, 2021]

ZONING PERMIT is a land use permit, special use permit, planned unit development, or similar permit issued by the City, Village, Township, or County.

[Annotation: Added by Amendment December 21, 2021]

ARTICLE 3: ROAD NAMES

301. Authority to Name Roads

The Road Commission or Municipality, whichever is applicable, shall be the agency with exclusive authority to name roads in Manistee County. The following entities hold authority within Manistee County:

1. ROAD COMMISSION shall hold authority over all Act 51 roads
2. MUNICIPALITY shall hold authority over all roads not included under Act 51 roads within the municipality's jurisdictional boundary.
3. INCORPORATED MUNICIPALITY shall hold authority over all incorporated roads within the municipality's jurisdictional boundary.

[Annotation: Modified by Amendment October 18, 2022]

302. Not Duplicative

A road shall not be given a road name which duplicates the name of any other road anywhere in the incorporated municipality or unincorporated areas of the county, whichever is applicable. The name of a road shall not be duplicative in spelling, phonetically, or with only a distinction of the suffix. Also, to avoid duplication with address compass designations, road names starting with "North", "East", "West" or "South" shall not be used.

To confirm a road name is not duplicative a proposed name shall be submitted to an individual in a department designated by the Planning Commission to assign address numbers from the Road Commission or Municipality, whichever is applicable. The proposed name shall be cross referenced in the Master Road Index and a signature or written approval will accompany any proposed road name that is not duplicative back to the entity that submitted the proposal.

[Annotation: Modified by Amendment October 18, 2022]

303. Subdivision Plats

A road which is constructed within the boundaries of a recorded subdivision shall have the name shown for the dedicated right-of-way on the recorded plat, except as provided for in Section 306.B of this ordinance. In the case of construction of roads prior to the approval of a final plat, the road shall have the name shown for the dedicated right-of-way shown on the approved preliminary plat on file with the Planning Commission.

A plat shall not be approved by the Road Commission or Planning Commission with a road name or road right-of-way name which does not comply with the provisions of this ordinance.

304. Highway and Route Numbers

A road shall not be named, for address purposes, by use of a highway number and county route (road) number such as U.S.31 or County Road 669. Such routes and highways shall also receive a road name to be used in conjunction with an address. Nothing in this Section shall prohibit the use of highway or county route (road) numbers to designate county primary routes, or state and federal highway routes.

305. Mile Roads

Road names with the suffix "Mile Road" shall be reflective of the address number system and shall be section line roads and shall be named for the address numbers running perpendicular to the Mile Road divided by one thousand (1,000); such as Eight Mile Road at north-south address number 8,000.

306. Changing Existing Road Names

It shall be the policy of this ordinance to discourage the practice of changing existing road names. The existing road name, or the name applied to a right-of-way as shown on an approved preliminary plat or recorded plat, shall not be changed except as provided herein:

- A. Only at the Road Commission's option or municipality's option, whichever is applicable, when 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 instead of two separate roads. Two roads shall not be considered one road unless both roads have address numbering in a north-south direction or both roads have address numbering in an east-west direction.
 1. In the instance of changing a road name, a third name shall not be used. One of the two existing road names shall be applied to the entire road and the other road name shall be discontinued.
 2. The Road Commission or municipality, whichever is applicable, shall determine which road name is dropped and which road name is to be used for the entire length of both roads, so the road name change results in modification to the fewest number of addresses. In the event the system of modifying the fewest addresses is not applicable, then the road name which is oldest and already applies to the portion of the road which has existed the longest shall be the road name used.
- B. Only at the Road Commission's option or municipality's option, whichever is applicable, when a private road is accepted as a public road if:
 1. The private road had a commonly known name prior to being accepted as a public road, and
 2. If the road name duplicates the name of any other road anywhere in the county including platted subdivisions.
- C. Only at the municipalities option, a private road name change may occur if:
 1. The private road meets the requirements of section 302. Not Duplicative
 2. A majority vote by the controlling legislative body approving the road name change takes place, shown by providing a copy of the approved meeting minutes containing the motion for approval.
- D. In the instance where a private road is extended/renamed into multiple municipalities, the requirements of 306. C must be met by all affected municipalities.
- E. At no time shall Manistee County provide for reimbursement of materials or costs associated with impacts caused by a change in road name.

[This subsection amended at the August 27, 2015 Manistee County Planning Commission meeting.]
[Annotation: Modified by Amendment October 18, 2022]

307. Notification of Road Names

The Road Commission or municipality, whichever is applicable, shall notify interested persons whenever a road is named for the first time, and whenever the existing name is changed to another, as provided below:

- 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 recording of said plat in the Manistee County Register of Deeds Office shall be sufficient notice to all interested persons.
- B. In all other cases of naming roads for the first time:
 1. The Road Commission or municipality, whichever is applicable, shall prepare written notice which contains:
 - a. The road name;
 - b. The description of the location and extent of the road the road name is to be applied to;
 - c. A survey showing the location and extent of the road, the road name is to be applied.
 2. The notice shall be sent to the following interested persons within ten days, by first class mail or personal delivery:
 - a. The respective municipal government body.
 - b. The Planning Commission and Road Commission
 - c. The respective fire department.
 - d. The respective ambulance service and Hospital, if not the same.
 - e. The Central Dispatch manager / director for Manistee County
 - f. The U.S. Post Office servicing the area.
 - g. Any residents, occupants, or persons and owners, if different, who will have an effected address on the road, with instructions on how to obtain their corrected address.
- C. In cases where an existing road name is changed, the Road Commission or municipality, whichever is applicable, shall send a written notice to each resident, occupant or person with an address on the effected portion of the road and to the owner – if different from the resident, occupant or person – of structures with an address on the effected portion of the road within ten days, by first class mail or personal delivery. Said notice shall contain:
 1. the new road name,
 2. the former road name,
 3. a description of the location and extent of the road the new road name is to be applied to.
 4. A Map or survey showing the location and extent of the road the road name is to be applied.
- D. In cases where an existing road name is changed,
 1. In addition to notice requirements given in Section 307.C of this ordinance, written notice of the name change shall be prepared by the Road Commission or municipality, whichever is applicable, which contains:
 - a. the former road name;
 - b. the new road name;
 - c. a description of the location and extent of the road the new road name is applied to;
 - d. A Map or survey showing the location and extent of the road the road name is to be applied.

- e. a list of the names of residents, occupants, persons and owners who were required to receive a notice, as required in Section 307.C.
2. The notice shall be sent within ten days, by first class mail or personal delivery to:
 - a. Those agencies listed in Section 307.B.2. of this ordinance, but not including Section 307.B.2.g. of this ordinance.
 - b. The Manistee County Equalization Department.
 - c. All utilities providing service to the area.

[Annotation: Modified by Amendment December 21, 2021]

[Annotation: Modified by Amendment October 18, 2022]

ARTICLE 4: ADDRESS NUMBERING

401. Authority to Issue Addresses

The Planning Commission shall be the agency with exclusive overall administrative and coordinative responsibility to administer the operation and application of this ordinance. The Planning Commission may elect to delegate the administration, the operation, and application to the Planning Department. The Planning Commission shall be the agency with authority to assign address numbers to structures. The Planning Commission may elect to delegate the function of assigning address numbers to structures to the Planning Department and/or Manistee County Building and Soil Erosion Control Department, but shall retain supervisory control over the ordinance and duties provided in Section 405 of this ordinance.

[Annotation: Modified by Amendment October 18, 2022]

402. Road Assignment

The Planning Commission, or its designee, shall determine prior to assigning an address the most appropriate road to assign an address number to.

Addressable structures on a parcel that abuts more than one road shall be addressed based on the road providing vehicular access (a driveway). When the driveway intersects with more than one road, or there is an absence of a driveway, the Planning Commission or its designee shall have the final determination of the most appropriate travel way on which to base an address. The Planning Commission or its Designee shall be guided by such factors as driveway distance and the road towards which the structure faces.

Structure(s) shall be addressed to one of the following road types:

- A. A county road, if 402. B. or 402. C. do not apply;
- B. A private or public road in a dedicated right-of-way in a recorded subdivision, or;
- C. A private road not in a dedicated right of way in a recorded subdivision.

Structures shall not be addressed from private driveways. If a structure is accessed by a private driveway, address it to the nearest qualifying road from which the driveway is accessed.

[Annotation: Added by Amendment December 21, 2021]

403. Not Duplicative

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

404. Address Numbering System

The Planning Commission, or its designee, shall assign and maintain address numbers to structures according to a system provided for below:

- A. Within Manistee County there shall be a base line which shall be the south section line of sections one through six of the respective townships partially described as Township 21 North, and extended westerly out into Lake Michigan, being commonly known as a line following the centerline of and an extension of Pine Creek Road, Cedar Creek Road and Wall Street.
 - 1. In both directions from this base line, address numbers shall be evenly spaced so that when following a northerly-southerly road one reaches address number 1,000 when arriving at the next section line north or south, and further, such address numbers continue in the same manner by 1,000 whole numbers at the point of intersection with each successive section line.
 - 2. Odd numbers shall be on the easterly sides of roads.
 - 3. Even numbers shall be on the westerly sides of roads.

4. 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 Manistee County runs north-south. Once a road has address numbers applied to structures on that road, then that road shall always be considered a north-south road.
[Annotation: See master file of maps for individual notations for past rulings on the direction of travel (north-south or east-west) of a road.]
 5. Address numbers south of the base line shall be followed with a suffix "south" when necessary to avoid duplication with addresses north of the base line.
 6. Address numbers north of the base line shall be followed with a suffix "north" when necessary to avoid duplication with addresses south of the base line.
- B. Within Manistee County there shall be a meridian line which shall be the west section line of sections six, seven, eighteen, nineteen, thirty, thirty-one of the respective townships partially described as Range 16 West, and extended northerly out into Lake Michigan, being commonly known as a line following the centerline of and an extension of Grant Highway, Nelson Street, Hill Road, Bridge Avenue.
1. In both directions from this meridian line address numbers shall be evenly spaced so that when following an easterly-westerly road one reaches address number 1,000 when arriving at the next section line east or west, and further, such address numbers continue in the same manner by 1,000 whole numbers at the point of intersection with each successive section line.
 2. Odd numbers shall be on the southerly sides of roads.
 3. Even numbers shall be on the northerly sides of roads.
 4. Roads which are not traveling due east-west or meander, shall be numbered east-west roads if the major portion of the road within Manistee County runs east-west. Once a road has address numbers applied to structures on that road, then that road shall always be considered an east-west road.
[Annotation: See master file of maps for individual notations for past rulings on the direction of travel (north-south or east-west) of a road.]
 5. Address numbers east of the meridian line shall be followed with a suffix "east" when necessary to avoid duplication with addresses west of the base line.
 6. Address numbers west of the base line shall be followed with a suffix "west" when necessary to avoid duplication with addresses east of the base line.
- C. Address numbers shall be whole numbers; this includes unit numbers.
[Annotation: Modified by Amendment December 21, 2021]
- D. Address numbers shall be assigned so they run consecutively starting at the base line or meridian line so that numbers are not out of sequence.
- E. Upon determination by the Planning Commission, address numbers in common use prior to the adoption of this ordinance may continue to be used even though they do not conform to the requirements of Section 404 of this ordinance, if each of the following conditions are met:
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, and
 3. Meshes or melds in with the county address system described in Section 404 of this ordinance.
[Annotation: "grandfathered" areas include (as shown on County Address Maps) Oak Hill and Parkdale areas adjacent to Manistee City. See August 1, 1990 letter of understanding with the Benzie County Planning Department where both sides of a road will follow the Benzie County numbering system along the

Manistee-Benzie County line along an unnamed road near Thompsonville and Lindy Road (Weldon Township sections 35-36; Colfax Township sections 31-36; Thompsonville Village sections 31 and 36; Springdale Township sections 1-2; Cleon Township sections 1-6; all east of Weldon/Kurick Road. The remainder of the Manistee-Benzie County line is addressed according to the system in this ordinance. A potential exists for the same type of coordination, but at this time (April 12, 1994) does not exist along the Manistee-Mason, Manistee-Lake and Manistee-Wexford County lines. See March 4, 1994 map of the Manistee City Limits reflecting agreement between Manistee County and City of Manistee for the transition of address number values at the city limits.]

405. 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. An address and address number already in use shall not be changed except as provided herein:

- A. When, upon determination by the Planning Commission, address number(s) meets any one of the following conditions:
1. The existing address number(s) is not in sequence and/or does not run consecutively in the same direction as the county address system described in Sections 402 and 404 of this ordinance for that side of the base and meridian line where the two systems mesh.
 2. The existing number(s) does not mesh or meld in with the county address system described in Section 404.A through 404.D of this ordinance.
 3. The existing number(s) is such that the assignment of address numbers for new structures is not practical and in keeping with the requirements of Sections 402 and 404 of this ordinance or in keeping with a grandfathered address number system described in Section 404.E.
 4. 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 landlocked property and, for example, then has a new road built to service it.

[Annotation: Modified by Amendment December 21, 2021]

- B. At no time shall Manistee County provide for reimbursement of costs associated with impacts caused by a change in address.

[This subsection amended at the August 27, 2015 Manistee County Planning Commission meeting.]

406. Notification of Addresses

The Planning Commission, or its designee, shall be the recipient of applications for addresses, or in the case of assigning addresses in the original instance immediately after adoption of this ordinance, the Planning Commission, or its designee, shall assign address numbers. Notification of one's address shall be provided as follows:

- A. When a person applies for an address the Planning Commission, or its designee, shall assign an address number and provide the person with a form containing the structure's address number, compass designation, if any, and proper road name. The person will make use of the form, or copies, to notify, in turn, the construction code inspector of jurisdiction, utilities, post office and any other interested persons.

[Annotation: All new structures require that an address be issued. Vacant land shall not be issued an address. Pursuant to action by the Planning Commission, an address shall not be issued until a zoning permit (including DNR Betsie River Permit) and a Manistee-Mason Department of Public Health Permit for well and/or septic have been issued first, or the individual responsible for issuing the permit has indicated in writing their respective permit is not required; all as adequate evidence the address is to a structure and not for vacant land. In past precedence a "structure" can include an electric meter on a utility pole for a sign, well, truck-stop, parking lot lights, camp-trailer site (if allowed by zoning), other utility power supply. An address is computed to the location of the structure, not to the parcel. Addresses shall be provided for any structure which service as a dwelling, retail or service establishment or place where people report to or regularly are located for purposes of employment or self-employment.]

[Annotation: Modified by Amendment December 21, 2021]

- B. When, upon adoption of this ordinance, the Planning Commission assigns address numbers to existing structures that do not have address numbers prior to this ordinance, accurate maps of the assigned numbers, as required in Section 407 of this ordinance shall be made. Copies of said maps shall be forwarded to those parties listed in Section 307.B.2. of this ordinance, but not including Section 307.B.2.g.; and Section 406.D.2 and 406.D.3 of this ordinance. Further, a copy of the form described in Section 406.A of this ordinance shall be sent by first class mail or personal delivery to each structure so numbered.
- C. In cases where an existing address number is changed, the Planning Commission shall send a written notice to each resident, occupant, person with an effected address on the road and to the owner – if different from the resident, occupant or person – of structures with a changed address number within ten days, by first class mail or personal delivery. Said notice shall contain the individual structure's former address number and the individual structure's new address number.
- D. In cases where an existing address number is changed, in addition to notice requirements given in Section 406.C of this ordinance, written notice of the address number change shall be prepared by the Planning Commission which contains all the former addresses and the respective new address, along with the name of the residents, occupants, persons and owners who were required to receive a notice, as required in Section 406.C. The notice shall be sent within ten days, by first class mail or personal delivery to:
 - 1. Those agencies listed in Section 307.B.2. of this ordinance, but not including Section 307.B.2.g. of this ordinance.
 - 2. The County Equalization Department.
 - 3. All utilities providing service to the area.

[Annotation: September 15, 1992 (and updated from time-to-time) the Planning Department has developed detailed office procedures for the administration of issuing addresses and record keeping for issued addresses.]

[Annotation: Modified by Amendment December 21, 2021]

407. Master Address File

- A. The Road Commission and Planning Commission, or its designee, shall jointly keep a master index of the proper names of each road in Manistee County. The proper names, as much as is possible, shall be reflected on the certified set of maps filed by the Road Commission with the Michigan Department of Transportation, pursuant to Michigan Public Act 51 of 1951, as amended, being Michigan Compiled Laws 217.651 et. seq. Motor Vehicle Highway Fund Act. If a discrepancy exists between the certified maps and the master index as to the name of a road, its spelling or punctuation, the master index shall rule. The master index shall be updated from time to time.
- B. The Planning Commission, or its designee, shall keep a master file of maps showing the location of each structure which has an address and the address number. Such master file of maps shall be easily duplicated. The master file of maps shall be updated from time to time.

[Annotation: See master file of maps for individual notations on administrative decisions for addressing in a specific area of the county and past rulings on the direction of travel (north-south or east-west) of a road.]

ARTICLE 5: COORDINATION WITH OTHER ORDINANCES AND STATUTES

501. Construction Code Permits

- A. A construction code (building) inspector operating and authorized to issue construction permits under Michigan Public Act 230 of 1972, as amended, being Michigan Compiled Laws 125.1501 et. seq. State Construction Code Act – regardless which nationally recognized construction code is being enforced – shall not issue a construction permit until after an address number has been issued for the proposed structure.
- B. In some instances, it will not be possible for an address to be issued until after the location of the building is clearly marked on the ground. When it is not practical to mark a building location on the ground until after a building permit has been issued, the construction code inspector shall not issue a building permit until after 1. A written application for an address has been received and 2. Approved with a notation the address will be issued at a later date by the Planning Commission, or its designee.

502. Utilities

After the effective date of this ordinance, a utility shall not provide service to a structure which does not have an address number in Manistee County outside the boundaries of Manistee City, or a utility company may provide service to a structure which does not have an address number in Manistee County outside the boundaries of Manistee City and shall notify the County Planning Commission, or its designee, by first class mail or personal delivery within ten days of the location and identification of the structure that does not have an address number.

503. Authority and Scope

- A. The address system created and administered by the county pursuant to this ordinance shall be the only address system created, authorized, recognized, administered or used within Manistee County, outside Manistee City boundaries.
- B. It is the intent of this ordinance and the finding of the County Board of Commissioners that:
 - 1. It is contrary to the pursuit of health, safety or welfare of the county to have more than one address system administered or in use in Manistee County, outside Manistee City boundaries.
 - 2. For purposes of efficiency and consistency of the operation and administration of an address system, it is contrary to the pursuit of the health, safety or welfare of the county to have more than one supervisory agency, as provided in Section 301 of this ordinance, be the authority to name roads in the unincorporated portions of the county; and to have more than one supervisory agency, as provided in Section 401 of this ordinance, be the administrative, coordinative, and address numbering authority outside Manistee City boundaries.
 - 3. To have a single county-wide address system, and the administration thereof, is necessary to maintain and pursue the health, safety and welfare of the county and this ordinance does not contravene the general laws of this state and does not interfere with the local affairs of a township, city or village within the limits of Manistee County.

ARTICLE 6: DISPLAY AND USE OF ADDRESSES

601. Display

The resident, occupant, person or owner of a structure with an address shall cause the assigned address number to be displayed in such a manner which will be plainly visible within thirty days of the effective date of this ordinance or prior to use or occupancy of a new structure, whichever is later, in the following manner:

- A. The assigned address number shall be displayed on the side of a structure facing the road, and if possible and practical, visible from the road in block or script and shall be contrasted with, or contrasted-reflectorized color with, the background or structure surface color and not less than three inches in height.
- B. If a mailbox exists and is not attached to the structure, the mailbox shall also have the assigned address number plainly visible to road traffic from traffic lanes in either direction of approach. The numbers shall be in block or script and shall be contrasted with, or contrasted-reflectorized color with, the background or mailbox surface color.

[Annotation: In literature advising the public on display of their address, "Visible" means large enough for the number on the mailbox to be read by traffic traveling on the road moving at the legal speed limit.]

- C. If the mailbox is located on a road other than the structure location, the mailbox shall have both the assigned address number and also the proper road name of the structure plainly visible to road traffic from traffic lanes in either direction of approach, and if the address number on the side of the structure, as required in Section 601.A of this ordinance, is not visible from the road or impractical to make visible from the road the structure is located on, then the address number shall also be displayed at the driveway entrance so it is plainly visible to road traffic from traffic lanes in either direction of approach. The address on the mailbox and address number displayed at the driveway entrance, if applicable, shall be in block or script and shall be contrasted with, or contrasted-reflectorized color with, the background surface color.

602. Use

The resident, occupant, person, owner, utility company, other utility service providers, county offices, municipal governments, police, emergency services, and any other persons or entities, shall use the assigned address for purposes of delivery, locating a structure, and legal or recorded address of record to facilitate use of the same system of identifying a location of a structure by all respective entities in a coordinated and uniform manner.

603. Stricter Regulations

Nothing in this ordinance shall prohibit a municipality or the postal service from requiring stricter, more visible display of addresses or address numbers.

604. Transfer of existing addresses

Address numbers may only be transferred to new structures on parcels if all the following requirements are met:

- A. Notice is given to the Planning Commission or its designee of the proposed structure's removal.
- B. An address request form is submitted with site plans that display:
 - 1. The footprint of the removed or to be removed structure.
 - 2. The footprint of the new proposed structure.
- C. The proposed structures footprint covers at least 51% of the originally proposed structure's footprint.

D. Meets the requirements of section 404.

[Annotation: Added by Amendment December 21, 2021]

605. Address Removal

At the Planning Commissions or its designee's discretion an address may be removed if all the following conditions are met:

- A. The existing structure has been removed from the parcel for over one (1) year and;
- B. There have been no applications submitted for a zoning permit (including DNR Betsie River Permit) to a new proposed structure on the footprint of the removed structure for at least one (1) year or there is no longer an active zoning permit.
- C. The removed structures footprint is considered vacant land.

[Annotation: Added by Amendment December 21, 2021]

ARTICLE 7: ENFORCEMENT, PENALTIES, SAVING CLAUSE

701. Enforcement

- A. A construction code (building inspector) operating and authorized to issue a construction code permit under Michigan Public Act 230 of 1972, as amended, being Michigan Compiled Laws 125.1501 et. seq. State Construction Code Act – regardless which nationally recognized construction code is being enforced – may approve a final inspection of a structure or issue an occupancy permit if the address number is displayed as required in Section 601 of this ordinance.
- B. Existing structures found not to hold an address in Manistee County will have one issued and the property owner will be subject to Article 7, Section 702. Property owners shall receive notice from the Planning Department or other entity designated by the Planning Commission to assign addresses as listed in section 405 of this ordinance of the address assigned to the structure.
[Annotation: Added by Amendment December 21, 2021]
- C. Anyone may file a complaint with a police officer, County Code Enforcement Officer, or individual in a department designated by the Planning Commission to assign address numbers concerning an alleged violation of the requirements of Article V and Article VI of this ordinance. Upon receipt of a complaint, the following procedure for enforcement shall be used:
 - 1. A(n) police officer, County Code Enforcement Officer, or individual in a department designated by the Planning Commission to assign address numbers, shall determine if a violation exists or not, in his/her judgement. If it is found a violation does not exist, the matter shall be dropped.
 - 2. If a violation is thought to exist, the police officer, County Code Enforcement Officer, or individual in a department designated by the Planning Commission to assign address numbers, shall contact the resident, occupant, business or owner of the structure in an attempt to obtain voluntary compliance with this ordinance. If the violation is corrected, the matter shall be dropped.
 - 3. If a violation continues to exist and voluntary compliance is not likely, the police officer, County Code Enforcement Officer, or individual in a department designated by the Planning Commission to assign address numbers, shall notify the owner of the structure as shown on the latest tax roll maintained by the Manistee County Tax Equalization Department, that a violation exists. Said notice shall explain the violation and cite the appropriate Section of this ordinance which is being violated and shall explain how the violation may be corrected. Said notice shall provide for a period of time in which the violation shall be corrected. Said notice shall be delivered to the owner by first class certified mail, with a return receipt, or by personal delivery by a police officer with an affidavit of service.
 - 4. After the provided period of time, a(n) police officer, County Code Enforcement Officer, or individual in a department designated by the Planning Commission to assign address numbers, shall determine if a violation still exists or not. If it is found the violation no longer exists, the matter shall be dropped.

5. If the violation is still thought to exist, the matter shall be referred to the county prosecuting attorney for another remedy which may be prescribed by law. (Changes to the MSAG include a change which results in making changes to the MSAG proper, MSAG maps, 9-1-1 database, and central dispatch database.)

[Annotation: No fee has been adopted by the Manistee County Board. Fee is \$0.00.]

[Annotation: Modified by Amendment December 21, 2021]

[Annotation: Modified by Amendment October 18, 2022]

- D. Nothing in this Section shall prevent the police officer, County Code Enforcement Officer, construction code building inspector, or individual in a department designated by the Planning Commission to assign address numbers from seeking the assistance or counsel of the Planning Commission or its designee(s) in pursuit of a remedy to the violation and for the determination if a violation exists.
- E. Nothing in this Section shall prohibit the United States Postal Service from terminating mail delivery in the case of a violation of Section 601 of this ordinance, or imposing other sanctions allowed under law.

[Annotation: Modified by Amendment December 21, 2021]

702. Penalty

Any person violating the provisions of Article V and Article VI of this ordinance shall be subject to a fine of not more than one hundred (\$100) dollars or imprisonment in the county jail for a period not to exceed five (5) days, or by both, such fine and imprisonment at the discretion of the court.

In addition to the imposition of the foregoing fines, penalties and other legal remedies, the Manistee County Board of Commissioners may designate an agency of the county to cause the proper posting of numbers, and the cost thereof assessed against the owner of such premises.

703. Fees

- A. It shall be the policy of the county to provide the service of issuing addresses without cost except that the County Board of Commissioners may adopt a fee schedule from time to time for the following instances:
 1. When an on-site inspection is required to figure out the location of the structure and such inspection is not practical to be combined with another inspection of the same site made by a county employee in the performance of his duties to enforce another ordinance or state law.
[Annotation: No fee has ever been adopted. Fee is \$0.00.]
 2. When an address is requested, and the paperwork and administration to issue the address is not practical to be combined with the administration or paperwork by a county employee for another county ordinance or state law.
[Annotation: No fee has ever been adopted. Fee is \$0.00.]
 3. For the consideration of a request for an address change and/or for changing an address.
[Annotation: No fee has ever been adopted. Fee is \$0.00.]
 4. For changes to the MSAG Map:
 - a. Any change in emergency service boundary that requires a change to MSAG
 - b. Any change in any existing road name that requires a change to MSAG
 - c. Any new roads or extended roads which require a change to MSAG which is not a subject of a new subdivision or land division review which has already taken place

- d. Any new roads, or extended roads, which occur as a result of an approval of a subdivision or a land division review (cost is to be considered part of the review fees already paid to the Planning Department for subdivision and land division review.)
- B. Fees for addresses shall not be assessed for addresses issued in the first instance after adoption of this ordinance pursuant to Section 406.B of this ordinance; nor for address numbers issued to new structures pursuant to Section 406.A of this ordinance when the administration and site inspection, if necessary, can be practically combined with the administration and site inspection by county employees necessary for the operation of another county ordinance or state law; naming of roads in the first instance pursuant to Section 307.A and Section 307.B or changing road names when initiated by the Road Commission.

704. 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.

705. Effective Date

This ordinance shall take effect sixty days after adoption by the Manistee County Board of Commissioners pursuant to submission to and approval by the Governor 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.

[Annotation: Adopted by County Board: March 12, 1985

Signed by the governor of Michigan: July 9, 1985

Effective Date: August 1, 1985 at 12:01 a.m.]

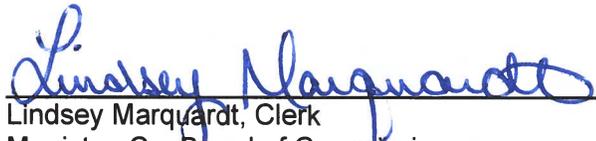
[Annotation: Amendments adopted by County Board: December 21, 2021]

[Annotation: Amendments adopted by County Board: October 18, 2022]



Jeff Dantz, Chairman
Manistee Co. Board of Commissioners

I, Lindsey Marquardt, Clerk of the Board of Commissioners, hereby certify that the foregoing ordinance as amended was introduced and adopted at a session of said Board convened in the City of Manistee on October 18, 2022 by a unanimous vote of the members present.



Lindsey Marquardt, Clerk
Manistee Co. Board of Commissioners

[ADDRESS.ORD]