

LIVINGSTON COUNTY, MICHIGAN

Ordinance No. 3

LIVINGSTON COUNTY
ADDRESSING ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE NAMING OF STREETS AND NUMERIC ADDRESSING OF BUILDINGS, POSTING OF STREET SIGNS, AND DISPLAY OF ADDRESS NUMBERS; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS RESPONSIBLE TO ADMINISTER THE ADDRESSING ORDINANCE AND REGULATIONS AND TO ENFORCE VIOLATIONS; TO DESIGNATE VIOLATIONS TO BE MUNICIPAL CIVIL INFRACTIONS; TO ADOPT A SCHEDULE OF FINES; TO PLACE THE MUNICIPAL CIVIL INFRACTIONS VIOLATIONS BUREAU AT THE GEOGRAPHIC INFORMATION SYSTEMS MANAGEMENT DEPARTMENT; TO ADOPT A SAVINGS CLAUSE; AND TO PROVIDE AN EFFECTIVE DATE.

THE COUNTY OF LIVINGSTON ORDAINS:

SECTION 1. PURPOSE, SCOPE, DEFINITIONS AND ADMINISTRATION

A. Purpose

The purpose of this Ordinance is to establish a system of assigning and correcting addresses in Livingston County to facilitate the locating of structures in order to protect the public health and safety by prompting reduced response times by police, fire, ambulance, and other emergency services; to provide for more efficient delivery of County services, such as building inspections, soil evaluations, health inspections, property tax administration, property mapping, and other county affairs; and to provide for efficient U.S. mail and parcel delivery in Livingston County.

B. Scope

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

C. Definitions

1. "Address" means the combination of a set of numbers, a street prefix (i.e., N., S., E., or W., if applicable), a street name, a street suffix (e.g., Ave., Rd., St., Dr., Cir., or Ct.), a street post-directional (i.e., N., S., E., or W., if applicable), an apartment or suite designation if applicable, and an apartment or suite number if applicable.

2. "Address number" means a set of numbers based upon the formula that begins at 0 base points along the East-West baseline and North-South meridian as assigned by the Addressing Official as part of an address. Numbering systems currently in effect in incorporated and unincorporated villages would be changed or modified only at the request of local units of government or to the extent necessary to correct numbering errors found during the process of mapping Livingston County.
3. "Street" or "road" means any vehicular way which is a state, county, or municipal roadway, or is shown on an approved and recorded subdivision plat or site plan, or is a private road that serves more than two existing lots.
4. "Principal structure" shall include but not be limited to: residential buildings, office buildings, commercial buildings, industrial buildings, public buildings, utility structures, and buildings used for storage, including, but not limited to garages, pole barns, utility meters and other accessory structures.

D. Administration

The Director of the Livingston County Information Technology Department shall appoint a person from that department to be the County Addressing Official. The Addressing Official shall have overall responsibility for administration and coordination of this Ordinance and the Livingston County Street Naming and Addressing Policy, including enforcement.

SECTION 2. STREET NAMES AND ADDRESSING

A. Incorporation of Policy

The County Addressing Official shall coordinate all numeric addressing, including the assignment of numeric address corrections that require naming of easements and renaming of private roads. The Livingston County Road Commission shall be responsible for coordinating new road names with developers and property owners and sign identification of all county roads within the County, pursuant to the Livingston County Street Naming and Addressing Policy as adopted and from time to time amended by Resolution of the County Board of Commissioners, which Policy is incorporated by reference.

B. Display of Address

The property owners or residents of all principal structures on each parcel of land are required to display an address number in the manner prescribed in the Livingston County Street Naming and Addressing Policy, incorporated by reference. In the event an address number has been corrected by administrative action of the Addressing

Official, the property owner or resident shall so notify the U.S. Postal Service, and display the new correct address, within 60 days of receipt of a Notice of Address Correction.

C. Road Names

The provisions of this Ordinance shall apply to both public and private roads. Every road, public or private, that exists in Livingston County on or after the effective date of this ordinance shall be posted or signed with, a name that shall be registered with and approved by the Livingston County Road Commission in the manner prescribed in the Livingston County Street Naming and Addressing Policy, incorporated by reference. The Livingston County Addressing Official shall be the sole final authority for street or road naming. The Livingston County Road Commission shall maintain the county-wide repository of street names.

D. Posting of Street Signs

The property owners or residents with addresses on a private road shall erect and maintain a suitable sign identifying the private road at the intersection of the private road and the adjoining public road in the manner prescribed in the Livingston County Street Naming and Addressing Policy, incorporated by reference.

E. Assigned Number and Address Corrections

Existing, or previously assigned or displayed address numbers, public road and private road names that do not comply with this Ordinance and the Livingston County Street Naming and Addressing Policy, incorporated by reference, may be corrected either (1) at the request of the property owner(s) or his/her agent(s), but only upon approval of the Addressing Official, or (2) such change may be initiated by the County Addressing Official. When a correction is initiated by the Addressing Official, the property owner(s) shall be notified, in writing, that a new number has been assigned. Address corrections become effective upon receipt of Notice of Address Correction. A resident who does not put a change of address in with the United States Postal Service and who does not display the new correct address within 60 days after receiving the Notice of Address Correction will be in violation of this ordinance and subject to penalty as provided by Ordinance.

SECTION 3. DESIGNATION OF VIOLATIONS OF THIS ORDINANCE AS MUNICIPAL CIVIL INFRACTIONS.

- A. Pursuant to the authority set forth in 1851 PA 156, as amended, being MCL 46.11(j), and Chapter 87 of 1961 PA 236, as amended, being MCL 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, and other applicable laws.
- C. The County Addressing Official, deputies of the Livingston County Sheriff, and other persons specifically designated by the Director of the Livingston County Information Technology Department, 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 a violation exists constitutes a separate infraction.

SECTION 4. SCHEDULE OF FINES FOR VIOLATIONS

- A. Fines to be established by County Board Resolution

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.

- B. Fines for Municipal Civil Infraction Citations
 - 1. 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 not less than \$75.00 nor more than \$500.00, plus costs and other sanctions, for each infraction.
 - 2. 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 no less than \$200.00 plus costs and other sanctions.
- (ii) The fine for any offense that is a second repeat offense shall be no less than \$300.00 plus costs and other sanctions.
- (iii) The fine for any offense that is a third or subsequent repeat offense shall be no less than \$500.00 plus costs and other sanctions.

C. Fines for Violation Notices

A person, corporation or firm who, as a result of violating any provision of this Ordinance receives a municipal civil infraction violation notice, upon a determination of responsibility thereon, shall pay an initial civil fine at the Livingston County Municipal Civil Infractions Violations Bureau of \$50.00.

- 1. In the case of another offense within one year of the date of the initial infraction, the civil fine shall be \$75.00. (This shall be known as the second offense.)
- 2. In the case of another offense within one year of the date of the second offense, the civil fine shall be \$150.00. (This shall be known as the third offense.)
- 3. In the case of another offense within one year of the date of the third offense, the civil fine shall be \$500.00. (This shall be known as the fourth offense.) All subsequent offenses shall be subject to a civil fine of \$500.00.

SECTION 5. ESTABLISHMENT OF MUNICIPAL CIVIL INFRACTIONS VIOLATIONS BUREAU

The Municipal Civil Infraction Violations Bureau, for disposition of violation notices issued under this Ordinance, shall be located at the Livingston County Geographic Information Systems Management Division, 304 E. Grand River Avenue, Suite 101, Howell, MI 48843.

SECTION 6. REPEALER.

All ordinances in conflict are repealed only to the extent necessary to give this ordinance full force and effect.

The various parts, sections and clauses of this ordinance, inclusive of the Policy incorporated by reference, are hereby declared to be severable. Should any part, clause, sentence, paragraph or section of this ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this ordinance.

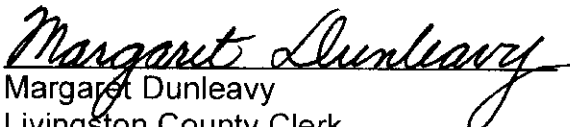
SECTION 8. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

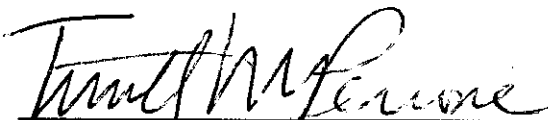
SECTION 9. EFFECTIVE DATE.

The provisions of this ordinance are ordered to take effect after publication.

I, Margaret Dunleavy, Livingston County Clerk, certify that this ordinance was adopted by the Livingston County Board of Commissioners and published on February 10, 2012.


Margaret Dunleavy
Livingston County Clerk

Approved as to form:
COHL, STOKER & TOSKEY, P.C.


Timothy M. Perrone