

BERRIEN COUNTY ORDINANCE #10

ORDINANCE GOVERNING THE INSTALLATION AND MAINTENANCE OF HOUSE NUMBERING IN THE COUNTY OF BERRIEN, MICHIGAN AND PROVIDING FOR PENALTIES FOR ANY VIOLATION OF THIS ORDINANCE.

THE COUNTY OF BERRIEN, STATE OF MICHIGAN, ORDAINS:

SECTION 1 – PURPOSE AND AUTHORITY

The County Board of Commissioners determines that emergency personnel, such as police, fire and ambulance are hampered in their efforts to respond to emergencies because some homeowners do not have their houses marked with visible numbers. Response time of emergency personnel could be greatly enhanced if all homes in Berrien County were properly marked with house numbers visible to emergency personnel.

MCLA 46.11 authorizes the County Board of Commissioners to pass ordinances relating to county affairs. This ordinance is intended to mandate that all homes in Berrien County have visible house numbers and to protect the health and welfare of all Berrien County citizens in case emergency personnel need to respond to an emergency at the home. Consequently, it relates to such county affairs and is authorized under that statute.

SECTION 2 – DEFINITIONS

For the purpose of this Ordinance, certain terms and words are herein defined as follows:

- (a) “**CLEARLY VISIBLE**” means visible by a person with normal or corrected 20/20 vision.
- (b) “**COUNTY**” means the Berrien County, Michigan government.
- (c) “**HOMEOWNER**” means the owner of residential property in fee simple. For rental units, “homeowner” means the landlord or other owner. “homeowner” does not include the owner of commercial or industrial property which is not used for residential purposes.
- (d) “**PAINTED**” means the use of a permanent paint in sufficient color contrast with the surrounding color to make the paint readable. Reflective paint is the preferred method, although other types of paint are permissible if visible at all times.
- (e) “**RESIDENTIAL PURPOSE**” means that the building houses at least one person.

SECTION 3 – HOUSE NUMBERING REQUIRED

All homeowners in Berrien County are required to display and maintain in a conspicuous manner the numeric designation of the house, as assigned by the local municipality. As used in this Section, “conspicuous” is defined as follows:

- (a) **Home mail delivery:** For all houses where the United States Postal Service delivers mail directly to the house (and not left in a mailbox not attached to the house), house numbers must be permanently attached to or painted on the house in a size sufficient to be clearly visible from the public highway, street or roadway closest to the front of the house, but in no event will the house numbers be less than four inches in height.

(b) **Rural and other mail delivery:** For all houses where the United States Postal Service delivers mail to a mailbox not located on or in a home, house numbers must be permanently attached to or painted on the mailbox in a size and place which allows them to be clearly visible by a person traveling on the roadway closest to the mailbox, but in no event will the numbers be less than three inches in height. In addition, house numbers must be permanently attached to or painted on the house in a size sufficient to be clearly visible from the public highway, if the house itself is visible from the public highway, but in no event will the house numbers be less than four inches in height.

(c) **No mail delivery:** For all houses where the United States Postal Service does not deliver mail, house numbers must be permanently attached to or painted on the house in a size sufficient to be clearly visible from the public highway, street or roadway closest to the front of the house, but in no event will the house numbers be less than four inches in height.

(d) **Houses not visible from the roadway:** If the house is not visible from the roadway, the house numbers must be displayed at or near the place where the driveway comes from the public roadway.

SECTION 4 – PENALTIES

A homeowner violating the provisions of this Ordinance shall be responsible for a civil infraction, and upon being found responsible thereof, shall pay a fine of twenty-five dollars (\$25.00) for the first offense and a fine of fifty dollars (\$50.00) for second and each subsequent offense. This Ordinance shall be prosecuted by County Corporate Counsel.

SECTION 6 – EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after sixty (60) days of the date of its adoption by the Berrien County Board of Commissioners.

SECTION 7 – PUBLICATION

This Ordinance shall be published in a newspaper of general circulation within the County of Berrien, State of Michigan, once before the effective date hereof.

APPROVED: July 20, 1995