

CARLTON COUNTY ORDINANCE NO. 22A
"PRIMARY STRUCTURE ADDRESS ORDINANCE"

Ordinance No. 22 is amended in its entirety to read as follows:

Section 1 – PURPOSE

1.01 This ordinance provides a system by which all primary structures located outside of the incorporated limits of municipalities will be assigned an address, and require the maintaining and posting of the assigned address in specified locations in accordance with standards set forth in this ordinance. The purpose of this address system is to promote the public's health, safety, and general welfare and is intended to further the implementation of the emergency Telephone Services Act, Minnesota Statutes Chapter 402. This ordinance is authorized by Minnesota Statutes Chapter 394.

Section 2 – DEFINITIONS

2.01 Uniform Addressing System: The section of this ordinance which governs the assignment, display, and placement of address numbers for every primary structure which is located outside the limits of municipalities.

2.02 Uniform Addressing Plan: The section of this ordinance which governs the establishment and assignment of addresses for primary structures located outside the limits of municipalities.

2.03 Address: Number for each primary structure as assigned by the County Zoning Administrator.

2.04 Signpost: A post, permanently affixed in the ground, used solely for display of the address.

2.05 Primary Structure: A building in which is conducted the principal use of the lot or parcel in which it is located. A primary structure may be used for residential, commercial, industrial, public-semipublic, recreation or other.

2.06 Driveway: A private road serving not more than two primary structures.

2.07 Road: A public or private way which affords primary means of access by vehicles to adjacent property whether designed as a drive, easement, street, avenue, highway, road, boulevard, cartway, or

otherwise designated. A public or private way which is accessible only by foot or off-road vehicle is not a road as defined by this section.

2.08 Minimum Maintenance Road: A public or private road which is not maintained year round.

Section 3 – UNIFORM ADDRESS SYSTEM

3.01 Each primary structure located outside the limits of municipalities shall be assigned a sole address number as designated by the Uniform Addressing Plan. The Uniform Addressing Plan shall be kept on file with the County Auditor. The County Zoning Administrator or the department designated by the County Zoning Administrator shall be responsible for assigning the address numbers.

3.02 Assigned address numbers shall conform with the following standards.

a. Primary structures which are located further than 50 feet from the edge of the driving surface of the nearest road or which are not clearly visible year-round from the road because of vegetation, snow conditions, terrain, or other obstacles shall display their address number on a signpost. The signpost shall conform with the following standards.

(1) The post shall be located within twenty feet of the driveway and at a location which is clearly visible year-round from the road. The post must be placed in a location which is at least ten feet from the edge of the road surface and not farther from the road than the end of the driveway.

(2) On the signpost must be placed a sign measured 6" h x 10" w, which contains the assigned address number horizontally. The sign shall be placed perpendicular to the road. The bottom of the sign shall be placed at a height which is no less than four feet above the level of the road surface. The sign shall contain white numbers not less than four inches tall on a blue background. The signs shall contain reflective material.

b. All owners of primary structures which are located less than 50 feet from the nearest road containing two or more primary structures must erect and maintain their assigned address numbers on the outside of the primary structure. The address numbers must be located on a primary structure surface facing the nearest road if the primary structure is less than 50 feet from the edge of the road surface, or a primary structure surface facing the nearest driveway if the primary structure is located on a driveway containing two or more primary structures.

(1) The address numbers shall be no smaller than four inches tall and shall be coated with reflective materials. The address numbers shall present a strong contrast with the background color.

c. The occupant of the primary structure shall be responsible for keeping its address numbers clear of snow, dirt, debris or other obstruction.

d. The location of signs on minimum maintenance road may be at the intersection with a road. A second sign located at the primary structure may be placed by the owner at the owner's expense.

e. No address will be assigned to raw land unless an application for a zoning or septic permit has been initiated and the property is accessible by a maintained roadway as defined in 2.07.

Section 4 – UNIFORM ADDRESSING SYSTEM IMPLEMENTATION

4.01 All owners of primary structures which are located within Carlton County and outside of incorporated cities shall comply with this ordinance by January 1, 1994.

4.02 Each primary structure owner shall be responsible for replacing and maintaining in good repair the addresses, address signs, and signposts as required by this ordinance.

4.03 Carlton County shall designate the party responsible for posting the original sign and sign post.

Section 5 – ADMINISTRATION

5.01 Interpretation of the provisions contained in this ordinance shall be directed to and made by the Sheriff.

5.02 All Carlton county licenses, applications, and permits may be withheld from the owners and occupants of primary structures if the address is not placed or maintained in conformance with this ordinance.

5.03 The County Board, by resolution, shall establish fees and charges for implementation of this ordinance and signs, posts, and installation. The fees may be altered or amended by resolution of the County Board. The schedule of fees shall be available in the Office of the County Auditor.

Section 6 – AMENDMENT

6.01 Amendments to this ordinance may be initiated by the County Planning Commission, County Board of Adjustment, the County Zoning Administrator or the Sheriff.

6.02 The Carlton County Planning Commission shall hold at least one public hearing on the amendment and then shall make a recommendation to the County Board.

6.03 The County Board may hold a public hearing and shall follow adoption procedures set forth in Minnesota Statutes Sections 375.51 and 394.26 which govern the procedures for enactment and amendment of County ordinances.

Section 7 – VARIANCES

7.01 Variances to the official controls set forth in this ordinance shall be governed by Minnesota Statutes Section 394.27, Subds. 7– 9, as amended and the terms of this section.

7.02 The Board of Adjustment shall have the exclusive power to order the issuance of variances from the terms of this ordinance, including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of this ordinance in cases when there are practical difficulties or particular hardship in the way of carrying out the strict letter of this ordinance, and when the terms of the variance are consistent with the purposes of this ordinance.

7.03 A certified copy of any order issued by the Board of Adjustment acting upon an appeal from an order, requirement, decision or determination by an administrative official, or a request for a variance, shall be filed with the County Recorder or Registrar of Titles for records. The order issued by the Board of Adjustment shall include the legal description of the property involved. The County Zoning Administrator is responsible for meeting the requirements of this section and is authorized to delegate such responsibility.

7.04 All decisions by the Board of Adjustment in granting variances or in hearing appeals from any administrative order, requirement, decision or determinations shall be final except that any aggrieved person or person, or any department, board or commission of the jurisdiction or of the state shall have the right to appeal within 30 days, after receipt of notice of the decision, to the Carlton County district court.

Section 8 – SEVERABILITY

8.01 Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 9 – ENFORCEMENT

9.01 Failure to comply with any section of this ordinance shall constitute a petty misdemeanor which is punishable, upon conviction, of a fine only not to exceed \$200.00.

Section 10 – EFFECTUATION

10.01 This ordinance shall take effect and be in full force upon its adoption by the Carlton County Board of Commissioners and its publication in the official newspaper(s) of Carlton County, as provided by Minnesota Statutes.

Passed and approved this 12th day of May, 2009.

Chairperson, County Board of Commissioners

Attest: _____
County Auditor/Treasurer

Public Hearing held at the Carlton County Transportation Department on the 6th day of May, 2009, at 7:00 p.m.

Legal notice published in the Moose Lake Star Gazette on the 23rd day of April, 2009.

Ordinance Published in the Moose Lake Star Gazette on this _____ day of _____, 2009.

Ordinance drafted by Planning and Zoning Administrator.

(Ordinance-Good Copies/Ord. No. 22-A Primary Structure Address Ord FINAL.doc/blp)