

TOWN OF FAYAL
St. Louis County, Minnesota

ORDINANCE NO. 2003-1

**AN ORDINANCE TO ESTABLISH AND IMPLEMENT A PRIMARY STRUCTURE ADDRESS
ORDINANCE FOR THE TOWN OF FAYAL**

The Board of Supervisors of the Town of Fayal hereby ordains as follows:

RECITALS

1. This ordinance provides a system by which all primary structures located within the Town of Fayal will be assigned an address, and all owners of primary structures are required to post the assigned address in specific locations in accordance with standards set forth in this ordinance. This ordinance is intended to supplement St. Louis County Ordinance No. 41 "Primary Structure Address Ordinance" and should any provision of this ordinance be found in conflict with, or be less restrictive than, St. Louis County Ordinance No. 41 "Primary Structure Address Ordinance", the County Ordinance shall prevail. 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 403. This ordinance is authorized by Minnesota Statutes Chapter 365.

ARTICLE I DEFINITIONS

The following words and terms when used in this Ordinance shall have the following meanings unless the context clearly indicates otherwise:

1. **Uniform Addressing System** - The section of this ordinance which governs the assignment, display, and placement of address numbers by the owners and/or occupants of every primary structure which is located within the Town of Fayal.
2. **Uniform Addressing Plan** - The section of this ordinance which governs the establishment and assignment of addresses for primary structures located within the Town of Fayal. The Addressing plan shall be comprised of maps, narrative, and databases that identify road names, individual address numbers and other geographic information as adopted by the Fayal Town Board and made part of this ordinance by reference.
3. **Address** - The number and road name for each primary structure within Town of Fayal as assigned by the St. Louis County Administrator or department designated by the County Administrator.
4. **Signpost** - A post, permanently affixed in the ground, used solely for the display of the address number.
5. **Primary Structure** - A building in which is conducted the principal use of the lot or parcel on which it is located. A primary structure may be used for residential, commercial, industrial, semi-public, recreation, or other uses.
6. **Driveway** - A private road serving not more than two primary structures.
7. **Road** - A public or private way which affords primary means of access by vehicles to adjacent property whether designated as a drive, easement, street, avenue, highway, road, boulevard, court, circle, cartway, or other designation. A public or private way which is accessible only by foot or off-road vehicle is not a road as defined in this section.
8. **Edge of Road Surface** - The outside line of that portion of a road normally used for vehicular traffic parallel to the centerline. For bituminous surfaced roads, this is the edge of the blacktop mat exclusive

of any shouldering. For aggregate surfaced roads, this line is 12 feet from, and parallel to, the centerline or the actual gravel surface edge, whichever is closer to the centerline.

ARTICLE II. UNIFORM ADDRESS SYSTEM

1. Each primary structure located within the Town of Fayal shall be assigned a sole address number as designated by the Uniform address plan. The uniform address plan shall be kept on file with the Clerk of the Town of Fayal and the St. Louis County Auditor. The County Administrator or the department designated by the County Administrator shall be responsible for the assigning of individual address numbers.
2. Address numbers for all primary structures as assigned in section 1 of this article shall be displayed and maintained in conformity with the following standards.
 - A. The address number shall be displayed on a signpost that shall be located within ten (10) feet of the driveway and at a location which is clearly visible year-round from the road from either direction. The post must be placed on the same side of the road as the primary structure in a location which is off-set at least ten (10) feet from the edge of the road surface. On minor, secondary, or private roads where there is no defined shoulder and/or in-slope, this off-set distance may be reduced to four (4) feet. The posts shall not be placed further from the road than the end of the accepted right of way.
 - B. On the signpost must be placed a sign measuring six (6) inches in height and not less than fourteen (14) inches in width which contain the assigned address number horizontally on both sides of the sign. The sign shall be installed on the signpost from the six inch edge and extend perpendicularly away from the road. Existing Town of Fayal vertical address signs may be temporarily displayed during the transition period, but are to be completely removed when the Uniform Address System is fully implemented. The bottom edge of the sign shall be placed at a height which is not less than four (4) feet above the level of the road surface. The sign shall contain white numbers not less than four (4) inches tall on a red background. The signs shall contain reflective material.
 - C. Address numbers for primary structures may be displayed on a surface of the primary structure facing the nearest road or driveway. 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. Address numbers so placed will be in addition to, not a replacement for, the sign installed as described in paragraph 2B of this article.
 - D. The owner/occupant shall be responsible for the maintenance and replacement of the address numbers and in keeping them clear of snow, dirt, debris or other obstruction.
3. At the intersection of every road identified with a road name in the uniform addressing plan, the Town of Fayal shall cause to be installed a road name sign clearly identifying the road name as listed in the uniform addressing plan. The road name sign shall be displayed on a vertical signpost placed at a location near the intersection which is clearly visible year-round from the roads in all directions but removed from the driving surface so as not to create a traffic hazard. The road name signs will measure not less than six (6) or more than nine (9) inches in height and no wider than required to clearly display the listed road name. The sign shall contain white annotation not less than four (4) inches tall on a green background with a white border. The signs shall contain reflective material. The road name signs shall be placed at the top of the sign post such that the sign is parallel to the centerline of the road it names and that the bottom of the lowest road name sign on the post is not less than seven (7) feet above the level of the road surface. Upon the order and approval of the Town Board, other appropriate regulatory or informational signs may be placed on the signpost in compliance with the Minnesota Manual of

Uniform Traffic Control Devices. The Town of Fayal shall be responsible for the maintenance and replacement of the road name signs and in keeping them clear of snow, dirt, debris or other obstruction.

ARTICLE III. UNIFORM ADDRESSING SYSTEM IMPLEMENTATION

Implementation of the uniform addressing system will begin immediately upon adoption of this Ordinance and the addressing plan maps, lists and data bases by the Fayal Town Board. To allow time for the acquisition and installation of signs and coordination with other agencies such as St. Louis County Communications Dept. and the US Post Office, full implementation of the system and the provisions of this ordinance will be in effect by 1 October 2003. This date may be extended by resolution of the Fayal Town Board.

1. The Town of Fayal will purchase and install all new address number signs initially made necessary by the adoption of this ordinance for installations made under Article II, Sect 2. The Town of Fayal will not install signs on the surface of primary structures, accessory structures, mailboxes, or other structures. Thereinafter, the property owner is responsible for the maintenance and replacement of the address sign and signpost and ensuring that it remains clearly visible to emergency responders.
2. After the initial system implementation, when a new address number is assigned by Saint Louis County as herein described due to new property development or other reason, the initial address sign for that property will be provided by the Town of Fayal in accordance with Article III section 1 of this ordinance.

ARTICLE IV. ADMINISTRATION

1. Interpretations of the provisions of this ordinance related to the responsibilities of the Town of Fayal shall be directed to and made by the Fayal Town Board. Interpretations of the provisions of this ordinance related to the responsibilities of St. Louis County shall be directed to and made by the County Communications Director.
2. Any and all Town of Fayal, and/or Saint Louis County licenses, applications, services, 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.

ARTICLE V. AMENDMENT

1. Amendments to this ordinance may be initiated by the Town Clerk or any Town Supervisor. Amendments to this ordinance may become necessary due to future actions of the St. Louis County Board.
2. The Town Board shall hold at least one public hearing before passing on the amendment.

ARTICLE VI. VARIANCES

1. Requests for variances to the official controls set forth in this ordinance shall be deferred to the St. Louis County Board of Adjustment for consideration in accordance with Section 7 of St. Louis County Ordinance No. 41.

ARTICLE VII. SEVERABILITY

1. 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.

ARTICLE X PENALTIES.

1. Failure to comply with any section of this ordinance shall constitute a petty misdemeanor which is punishable, upon conviction, of a fine not to exceed \$100.00.

ARTICLE XI EFFECTUATION

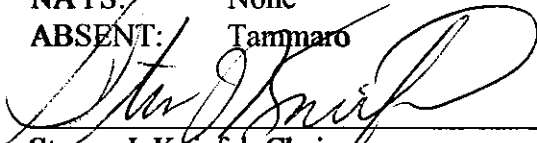
This Ordinance shall take effect and be in force from and after its passage and publication,.

Adoption of the foregoing Ordinance was moved by Chairman Kniefel seconded by Supervisor Beldo and it was adopted this 17th of June, 2003 on the following vote:

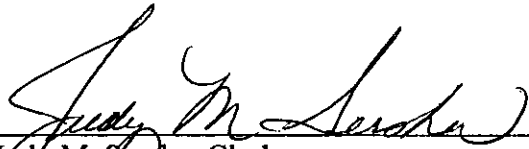
AYES: Kniefel, Beldo, Erjavec, Ojanpa

NAYS: None

ABSENT: Tammaro

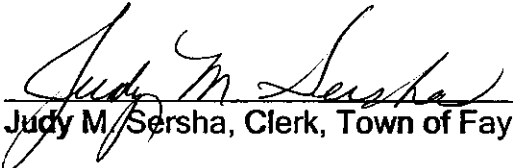


Steven J. Kniefel, Chairman
TOWN OF FAYAL, MINNESOTA



Judy M. Sersha, Clerk
TOWN OF FAYAL, MINNESOTA

Ordinance 2003-1 was published according to law on June 27, 2003



Judy M. Sersha, Clerk, Town of Fayal

