

DEKALB COUNTY ORDINANCE NO. 2020-R-2

AN ORDINANCE TO PRESCRIBE STREET ADDRESS NUMBER SIZES AND LOCATIONS

WHEREAS, the County Commissioners for DeKalb County, Indiana have determined that to ensure the continued health and safety of the general public, a set of rules are required for prescribing street address numbering locations and number size; and

WHEREAS, the County Commissioners for DeKalb County, Indiana understand it is the responsibility for the Plan Commission to issue addresses, per Indiana Code: 36-7-405;

WHEREAS, the County Commissioners for DeKalb County, Indiana, have received concerns from Police, Fire and Emergency Medical Services, that it is difficult to locate some residences or businesses in the County of DeKalb because there are no street address numbers or, if present, are incorrect or, are inadequate for identification; and

WHEREAS, the County Commissioners for DeKalb County, Indiana have received concerns regarding the addressing for public access sites; such as county parks, canoe launches, public trails and similar uses; and

WHEREAS, the County Commissioners for DeKalb County, Indiana, have determined that without adequate street address numbers, emergency service responses could be slower, thus potentially aggravating emergency situations;

BE IT THEREFORE ORDAINED BY THE COUNTY COMMISSIONERS FOR DEKALB COUNTY, INDIANA;

**Section 1. Definitions.**

- 1.01 Residence is any structure wherein persons live as distinguished from a business or industry.
- 1.02 Street Address Numbers are those identifying numerals which are consistent with identification as set forth by the DeKalb County Plan Commission and/or his/her designee, which are recognized by the United States Postal Service and which are the correct numerals to properly identify the location of the property within unincorporated DeKalb County and properties in which the DeKalb County Plan Commission has Zoning authority.
- 1.03 House is considered as a structure which may contain one or more residences.
- 1.04 Apartments are structures which may include multi-family residences.
- 1.05 Business and/or Industry is an establishment located in some structure which is a purveyor of goods or services.



- 1.06 Public Access Site is considered open to the public for recreation purposes, such as county parks, canoe launches, public trails and similar uses, and may or may not have a structure located on the premises.

## **Section 2. Minimum Requirements.**

- 2.01 Every house, residence, apartment, business, industry and public access site within unincorporated DeKalb County, Indiana and properties in which the DeKalb County Plan Commission has Zoning authority shall have street address numbers identifying the location. These street address numbers are for all structures and/or entrances for public access sites subject to this Ordinance.
- 2.02 All street address numbers shall be displayed on a mailbox, mailbox post or separate post and shall be easily visible from the road when traveling in either direction. For public access sites, the address shall be posted at the main entrance of said public access site. Additionally, trail systems shall have the name of the trail posted with the address and shall have markers displaying each quarter mile within the trail system in the same manner. No address signs shall be placed within legal drainage easements without consent of the DeKalb County Surveyor's office and/or Drainage Board.
- 2.03 The street address number display shall be minimum height of three feet and maximum height of five feet above road grade as measured from the midpoint of the sign. Alternatively, if displayed on the mailbox post, the street address number display may be mounted directly below the mailbox so long as the midpoint of the sign is no less than two and one-half feet above road grade.
- 2.04 In the event the structures and/or public access sites to be identified by said street address numbers are situated in such a way that the display of those numbers as the sole means of identification does not adequately identify the structure and/or public access sites in the opinion of the DeKalb County Plan Commission or Building Commissioner and/or the DeKalb County 911 Coordinator, then the owner of the structure and/or public access sites may also be required to display the street address numbers affixed to the structure or other means in the size and colors as required below. In the event the second display is necessary then the DeKalb County Plan Commission or Building Commissioner and/or the DeKalb County 911 Coordinator shall set forth in writing to the owner of the property the reasons for said second display.
- 2.05 All street address numbers shall be white reflective lettering on a green background which can be seen easily when viewed from the street while in a vehicle. Should an additional display of address numbers be required on the structure as noted in subsection 2.02 above, it is required that the numbers of said additional display be a color contrasting or nearly contrasting with the background surface color upon which they are mounted.
- 2.06 There shall be no obstructions to preclude the street address numbers from being seen as noted in subsections 2.02 and 2.03 above.

- 2.07 All street address numbers shall be a minimum of three (3) inches in height and one and one-half (1 & 1/2) inches in width.
- 2.08 No occupancy permit for new construction will be issued until proper numbers are erected either by contractor or residence owner.
- 2.09 A property with a non-conforming address display of the correct address which does not meet the size and color requirements of this ordinance may continue to be used should it substantially fulfill the intent of the ordinance and adequately identify the property in the opinion of the DeKalb County Plan Commission and Building Commissioner and the 911 Coordinator or his designee. In the event a non-conforming address display of the correct address is approved for continued use under this section, then the owner of the property shall be sent a letter approving said use by either the DeKalb County Plan Commission or Building Commissioner or the 911 Coordinator or the 911 Coordinators designee. A copy of this letter shall be kept on file in the Plan Commission Office.

### **Section 3. Penalties**

- 3.01 Any person, firm, corporation, or governmental unit, whether as principal agent, employee, or otherwise, who violates any of the provisions of this ordinance shall be liable for a civil ordinance violation penalty of thirty dollars (\$30.00). Each month of continued violation shall be considered a separate violation subject to \$30.00 per month penalty until corrected. For purposes of this ordinance, a month shall constitute thirty-one (31) days.
- 3.02 That portion of any fees collected which are necessary to purchase address numbers for the person, firm, corporation, or governmental unit in violation shall be so spent and the purchased numbers shall then be provided to the person, firm, corporation, or governmental unit for proper posting. The remaining portion of any fees collected shall be deposited into the DeKalb County general fund.
- 3.03 Said penalty or penalties may be collected in any suit by the Plan Commission, the Building Commissioner, or the Sheriff's Department in any action against a violator of any provision of this ordinance.
- 3.04 Notwithstanding any provision herein to the contrary, in the event the street address number relied upon for the house, residence, apartment, business, industry or public access site was incorrectly assigned by the DeKalb County Plan Commission then the penalty provisions shall not apply until one year after the correct number has been assigned to the house, residence, apartment, business, industry or public access site by the County.
- 3.05 Each notice sent shall constitute an offense for purposes of the penalty provisions of this ordinance.

**Section 4. Enforcement.**

4.01 It shall be the responsibility of the DeKalb County Sheriff's Department, the Fire Departments, the DeKalb EMS, the DeKalb County Plan Commission or the DeKalb County Building Commissioner to report any violation of this ordinance to an enforcing authority. The DeKalb County Sheriff's Department, the DeKalb County Plan Commission and/or the DeKalb County Building Commissioner may institute a suit for injunction in a Court of DeKalb County to restrain an individual, a corporation, or a governmental unit from violating the provisions of this ordinance. Failure to enforce a provision of this ordinance shall in no event be deemed a waiver of the right to thereafter enforce the same.

4.02 Enforcement will be accomplished as follows:

4.021 Upon notice of violation of Section 2, an initial letter will be sent by the DeKalb County Plan Commission, Building Commissioner and/or the DeKalb County 911 Coordinator to the offending party, advising of the violation. Said letter shall be sent by certified mail with return receipt to ensure its delivery. In the alternative, said letter may be personally served on the offending party by the DeKalb County Sheriff's Department and such delivery duly noted.

4.022 The violator or violators will be allowed thirty (30) days from receipt of the notice in which to correct or cure the violation(s).

4.023 The DeKalb County Plan Commission, Building Commissioner and/or the DeKalb County 911 Coordinator may then, at their discretion, serve a second notice of no less than thirty (30) days through legal counsel acting on their behalf.

4.024 If the violation is not cured or corrected to the satisfaction of the DeKalb County Plan Commission, Building Commissioner and/or the DeKalb County 911 Coordinator within the thirty (30) day period and after expiration or waiver of the subsequent fifteen (15) day period, a notice of imposition of penalty shall be delivered to the responsible violator.

4.025 The DeKalb County Plan Commission, Building Commissioner 911 Coordinator or designee shall collect all paid penalties through the DeKalb County Plan Commission for those suits initiated by the DeKalb County Plan Commission, Building Commissioner and/or the DeKalb County 911 Coordinator.

4.026 The DeKalb County Plan Commission shall initiate suit for collection for all penalties assessed due yet unpaid to action by the Plan Commission, Building Commissioner and/or the DeKalb County 911 Coordinator.

**Section 5. Separability.**

The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

**Section 6. Effective Date.**


This Ordinance shall replace Ordinance 98-5 in its entirety and be effective following the last date of publication and upon passage by the DeKalb County Commissioners and signing by the DeKalb County Commissioners and the DeKalb County Auditor.

First Reading: January 20, 2020

Second Reading: January 27, 2020

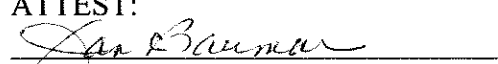
Third Reading: January 27, 2020

**PASSED AND ADOPTED** by the DeKalb County Commissioners of DeKalb County, Indiana this 27<sup>th</sup> day of January, 2020.

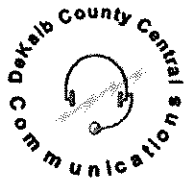
  
\_\_\_\_\_  
William L. Hartman, President

  
\_\_\_\_\_  
Donald D. Grogg, Vice President

  
\_\_\_\_\_  
Jacqueline R. Rowan, Vice President

ATTEST:  
  
\_\_\_\_\_  
Jan Bauman, Auditor

Prepared by: Chris Gaumer "I affirm under the penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law."



**Brian Humbarger**  
Director  
Central Communications  
3399 CR 34  
Waterloo, IN 46793  
260-333-0701 ext. 4200

January 15, 2020

DeKalb County Commission

**Address Concerns**

Concerns have been brought to my attention by several different emergency response agencies (Police, Fire and EMS) regarding the difficulty they have in locating residences and businesses due to not being able to locate their addresses.

I've assured them that Central Communications works as hard as possible to give them accurate location information but we, unfortunately, have no control over how homeowners or business owners display their addresses. I understand that there is a county ordinance in place, however, as I have explained to the agencies, Central Communications not able to enforce it.

I'd like to reach out to the Commissioners for assistance in helping us and the local emergency response agencies to find a way to accurately locate our citizens in their time of need

Respectfully Submitted,

**Brian Humbarger**

Prescribed by State Board of Accounts

To: **KPC Media Group Inc**  
P.O. Box 39, KENDALLVILLE, IN 46755

DEKALB COUNTY BUILDING/PLAN COMM

To: THE STAR

DEKALB, Indiana

Order #: 2061796

**PUBLISHER'S CLAIM**

LINE COUNT

Display Master )must not exceed two actual lines, neither of which shall  
total more than four solid lines of the type in which the body of the  
advertisement is set) -- number of equivalent lines

Head -- number of lines	-----	<u>1</u>
Body -- number of lines	-----	<u>350</u>
Tail -- number of lines	-----	<u>1</u>
Total number of lines in notice	-----	<u>352.0</u>

COMPUTATION OF CHARGES

352.0 lines, null columns wide equals 352.0 equivalent lines at 0.4727 cents per line.	-----	<u>\$166.39</u>
Additional charges for notices containing rule or tabular work (50 per cent) of above amount	-----	<u>\$</u>
Charge for extra proofs of publication (\$1.00 for each proof in excess of 2)	-----	<u>\$</u>
<b>TOTAL AMOUNT OF CLAIM</b>	-----	<u><b>\$166.39</b></u>

DATA FOR COMPUTING COST:

Width of single column in picas - 9.9  
Number of insertions: 1                      Size of type - 7 point

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper THE STAR 1. The dates of publication being as follows:  
01/31/2020

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper
- Newspaper does a Web site, but due to technical problem or error, public notice as posted on \_\_\_\_\_
- Newspaper has a Web site, but refuses to post the public notice.

LANETTE MCGUIRE

Date: 01/31/2020

Title: Legal Clerk

Claim No. \_\_\_\_\_ Warrant No. \_\_\_\_\_

I have examined the within claim and hereby certify as follows:

**IN FAVOR OF  
KPC Media Group Inc.  
PUBLISHERS OF**

The News Sun  
Kendallville, Indiana

The Advance Leader  
Ligonier, Indiana

The Star  
Auburn, Indiana

The Garrett Clipper  
Garrett, Indiana

The Herald Republican  
Angola, Indiana

Albion New Era  
Albion, Indiana

The Butler Bulletin  
Butler, Indiana

Northwest News  
Huntertown, Indiana

Churubusco News  
Churubusco, Indiana

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon statutory authority.

That it is apparently  correct  incorrect

I certify that the within claim is true and correct; that the services there in itemized and for which charge is made were ordered by me and were necessary to the public business.

\_\_\_\_\_  
\_\_\_\_\_ , \_\_\_\_\_

\$ \_\_\_\_\_

ON ACCOUNT OF APPROPRIATION FOR

Appropriation No. \_\_\_\_\_

ALLOWED \_\_\_\_\_ , \_\_\_\_\_

IN THE SUM OF \$ \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



LEGAL NOTICE  
DEKALB COUNTY  
ORDINANCE NO. 2020-R-2  
AN ORDINANCE TO PRESCRIBE  
STREET ADDRESS NUMBER  
SIZES AND LOCATIONS

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First Reading: January 20, 2020

Second Reading: January 27, 2020

Third Reading: January 27, 2020

PASSED AND ADOPTED by the DeKalb County Commissioners of DeKalb County, Indiana this 27th day of January, 2020.

William L. Hartman, President

Donald D. Grogg, Vice President

Jacqueline R. Rowan, Vice President

ATTEST:

Jan Bauman, Auditor

Prepared by: Chris Gaumer "I affirm under the penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law."

TS.2061796.1/31,hspaxip