



## TOWN OF KENNEBUNKPORT, MAINE

### STREET ORDINANCE

**PURPOSE:** The purpose of this ordinance is to provide each street, road and way (hereinafter referred to as street) both public and private, with one official and approved name and all residences and businesses thereon assigned numbers that will enable quick, easy identification and location of same by police, fire, emergency medical personnel and mercantile delivery services, as well as the U. S. Postal Service address. Use of a Post Office Box for mail delivery does not defeat the purpose of this Ordinance.

#### ARTICLE I - AUTHORITY

This Ordinance is adopted pursuant to, and consistent with, the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A, M.R.S.A. Section 3001. Date of Adoption: January 9, 1997. **Amended: 6/12/2018**

#### ARTICLE II – NAMING SYSTEM

All roads that serve three or more structures shall be named regardless of whether the ownership is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel, or dirt thoroughfare. A road name assigned by the municipality shall not constitute or imply acceptance of the road as a public way.

The following criteria shall govern the naming system:

1. No two roads shall be given the same name (ex. Pine Road and Pine Lane)
2. No two roads shall have similar-sounding names (ex. Beech Lane and Peach Lane).
3. Each road shall have the same name throughout its entire length.
4. Roads named prior to the adoption of the Street Ordinance shall, unless requested, remain the same.
5. Should two roads/streets that are currently dead ends ever be connected to improve public safety conditions may keep their individual names up to the point of connection, unless the combined residences of the two roads wish to rename the newly configured road as outlined in Article VII of this ordinance.

#### PRIVATELY OWNED STREETS

All privately owned streets serving three (3) or more properties shall be named, either by the developer or abutting property owners. A developer, sub-dividing property owner or abutting property owners shall submit proposed street names with the development or sub-dividing plan.

### **ARTICLE III- STREET NUMBERING**

The following criteria shall govern the numbering system:

1. Numbers shall be assigned every 50 (fifty) feet along both sides of the road, with even numbers appearing on the left side of the road and odd numbers appearing on the right side of the road, as the numbers ascend. A 25-foot or less interval may be applied in more densely structured areas. Existing street numbers assigned on the 100' interval will remain, so long as there are no addresses containing the use of alpha or rear designate and reasonable conditions allow for new street numbers to be assigned.
2. Streets will be defined as "running from" one street "to" another street, dead end or Town line. The "from" end will be known as the "origin" of the street, the "to" end will be the "terminus". The numbering shall start at the origin of a street, with odd numbers on the right and even numbers on the left, in ascending order to the terminus of the street. Four (4) streets, River Road, Woodlawn Avenue, Arbor Ledge Drive and Poets Lane, have odd numbers on the left and even on the right are grandfathered.
3. The number assigned to each structure shall be that of the numbered interval falling closest to the driveway of said structure if the front door cannot be seen from the main road. For structures situated on a corner of 2 streets, the structure will be numbered based on the driveway location.
4. Every structure with more than one principle occupancy shall have a separate number for each occupancy, i.e. duplexes will have two separate numbers; apartments will have one road number with an apartment number, such as 235 Maple Road, Apt 2.
5. (Existing) Condominium complexes will be numbered from the access point, and assigned unit #'s., such as 272 Mills Road, Unit 1F, regardless of the size of the complex
6. Any new subdivision, approved by the planning board, will have all interior roads named as part of the application/plan process. In the case of the subdivision with condominium units, they will be numbered/addressed on the road as either a single structure or duplex.
7. An "in-home" business will have the same street number as the residence.

### **ARTICLE IV – COMPLIANCE**

All owners of structures shall display and maintain in a conspicuous place on said structure, assigned numbers in the following manner:

1. Number on the Structure or Residence. Where the residence or structure is within 50 (fifty) feet of the edge of the road right-of-way, the assigned number shall be displayed on the front of the +residence or structure near the front door or entry.
2. Number at the Road Line. Where the residence or structure is over 50 (fifty) feet from the edge of the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box, or on some structure at the property line adjacent to the walk or access drive to the residence or structure.

3. Size, Color, and Location of Number. Numbers shall be of a color that contrasts with their background color and shall be a minimum of four (4) inches in height. Numbers shall be located to be visible from the road at all times of the year.
4. Proper number. Every person whose duty is to display an assigned number shall remove any different number which might be mistaken for, or confused with, the number assigned in conformance with this ordinance.
5. Owners of properties failing to exhibit their assigned number(s) in accordance with this Article shall be notified by certified mail, using the current address to which the real estate tax assessment is mailed. Such notice shall include a copy of this Ordinance, without Appendices, and advise that the owner is in default of this Ordinance and that a fine of twenty-five (\$25.00) dollars will be assessed to the property if compliance is not accomplished within forty-five (45) days of the date of the mailing of the certified letter. Additionally, a fine of one (1) dollar will be assessed for each day after the forty-fifth (45th) day that the owner remains in non-compliance. It shall be the owner's responsibility to have compliance verified by the appropriate official(s) after notification of default.
6. All monies, if any, collected in accordance with Section 5 above will be used to administer this Ordinance. At the Annual Town Meeting, the balance, if any, at the end of the fiscal year shall either be re-appropriated to this account or designated as un-appropriated surplus.

#### **ARTICLE V – RESPONSIBILITY**

1. The Board of Selectmen, hereinafter referred to as “The Board”, shall be responsible for approving the naming and numbering of streets. The Board may assign or delegate the approval process to the Addressing Office, who will utilize the Public Safety Committee to review new requests for naming streets prior to notification of requesting individuals.
2. If the Board delegates the responsibility to another official or committee, the Town Manager will rule on the first appeal and, if not resolved, the Board shall hear a final appeal. All appeals shall be filed within thirty (30) days of the denial and ruled upon within thirty (30) days of filing the appeal.

#### **ARTICLE VI - ADDITIONAL REQUIREMENTS**

1. All named streets shall have a signpost erected at each end thereof, except that a dead-end street will not require one on the dead end. A cul-de-sac or other turn around will be considered a dead end. All signs shall be of a uniform size, lettering and color as designated by the Town Manager.
2. Costs for erecting signs for all streets within a private development will be borne by the developer.
3. Appendix I of this Ordinance shall be a complete list of all streets in the Town of Kennebunkport as of the date of enactment of this Ordinance. Said list will contain a brief description, locating the street by reference to the origin and terminus of the street, list all intersecting streets and the point of intersection. Appendix I will also be maintained current with a record of changes/additions thereto and the date of the change/addition.
4. Any circumstance, situation or question determined to not be covered in this Ordinance, shall be resolved by the Board and that resolution made part of this Ordinance.

#### **ARTICLE VII - NAME CHANGES**

1. Except for the purpose of removing existing duplications and similarities, it is the intent of this Ordinance that a street not have its name changed. However, if a two-thirds majority of the residents and property owners on that street provide a compelling reason and petition the Board for a name change, the Board shall deliberate the request and render their decision no later than two (2) months after the first meeting held after receipt of the request. The Board's decision may be to grant or deny the request, or, if the change has Town-wide significance, to present the request to the voters of the Town of Kennebunkport at a Town Meeting, either annual or special.
2. Existing duplications and similarities will be reviewed by the Board, if the Board decided that a name should be changed, the procedure for naming streets outlined in Article III shall be used as a guide.
3. If a name change is approved, the local postmaster or office will be advised and requested to provide a change-over period which will recognize both the old and the new address.

## DEFINITIONS

**CUL-DE-SAC:** A loop on the dead end of a street to provide a convenient turn around without encroaching upon private driveways.

**DRIVEWAY:** A vehicular access from a street to a residence or business.

**SQUARE:** A center of activity, usually business and usually the intersection of several streets. It also can be a memorial or historical plot. Residences and businesses located in a Square may be numbered as on the Square or on a street forming the Square.

**STREET:** Any way that provides vehicular access to two (2) or more residences, businesses or properties (existing or planned) or has the potential for same, whether public or private. It may be called an Alley, Avenue, Boulevard, Circle, Court, Drive, Lane, Parkway, Place, Road, Way, or other such descriptive title.

**TURN-AROUND:** A bulbous end of a dead-end street to facilitate a reversal of direction with a minimum of backing and filling usually made to accommodate automobiles not larger trucks.

## APPENDICES

APPENDIX I: A list of all Kennebunkport streets, public and private (click to view).

APPENDIX II: Maps of Kennebunkport streets and index thereof.

APPENDIX III: Record of changes.