

THE
CUSHING ADDRESSING
ORDINANCE

TOWN OF
CUSHING, MAINE

ADOPTED MARCH 19, 1996

AMENDED MARCH 20, 2007

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**ARTICLE I
TITLE**

1. This ordinance is entitled and may be referred to as the "Road Naming and House Numbering Ordinance of the Town of Cushing, Maine" or it may be referred to by its short title of "Road Naming Ordinance" and will be referred to herein as "this ordinance."

**ARTICLE II
PURPOSE AND AUTHORITY**

1. The purpose of this ordinance is to enhance the easy and rapid location of properties for the delivery of public safety and emergency services, postal delivery and business delivery.
2. 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.

**ARTICLE III
DEFINITIONS**

1. For the purpose of this ordinance, the following definitions shall apply:
 - A. **Road** is any highway, road, street, avenue, lane, private way, fire road, or similar paved, gravel, or dirt way within the Town of Cushing.
 - B. **Improved property** is any property on which a more or less permanent structure has been erected or placed.

**ARTICLE IV
OFFICIAL MAP**

1. The Cushing Board of Selectman in cooperation and consultation with the Cushing Fire Department, the Cushing Rescue Squad, and the Cushing Postmaster shall have a map prepared to be entitled "Property Number Map of the Town of Cushing, Maine," which shall be adopted as the official map by which roads are named and property numbers assigned upon the signing and dating of said map by the Cushing Board of Selectmen and the Cushing Town Clerk, following a Public Hearing. Said map shall be made up and adopted within one hundred twenty (120) days of the effective date as provided for in Article IX of this ordinance.
2. Following its adoption as provided for above, the "Property Number Map of the Town of Cushing, Maine" shall be available to the public for reference at the Town Office. These copies of the map shall be updated and/or replaced by the Board of Selectmen with new maps as necessary.
- ~~3.~~ Assignment of numbers to properties, both on existing and proposed roads, shall be the responsibility of the Board of Selectmen or designee.

4. The Board of Selectmen shall be responsible for maintaining the following official records of the numbering system:
 - A. Property Number Map of the Town of Cushing, Maine; and
 - B. An alphabetical list of all property owners as identified by current assessment records, by last name, showing the assigned numbers; and
 - C. An alphabetical list of all roads with property owners listed in order of their assigned numbers.
5. Copies of the official records as listed in Article IV, Section 4 shall be deposited with the Cushing Fire Department and Cushing Rescue Squad for their use and shall be updated and/or replaced by the Board of Selectmen with new records from time to time as necessary.

**ARTICLE V
NAMING AND NUMBERING SYSTEM**

1. Road Names

- A. Every public way and all roads with more than one property, improved or unimproved, shall have a name. That name shall be displayed on a sign mounted on a post at least (6) six feet above ground level. For town roads the signs shall have white letters on green background, for private roads the sign shall be white letters on a blue background.
- B. The Board of Selectmen of Cushing is the final authority in accepting names for such roads. A road name accepted by the Board of Selectmen of Cushing shall not constitute or imply acceptance of the road as a public way.
- C. Road names shall conform to U.S. Postal Service guidelines as published in their publication 28, *Postal Addressing Standards*, or as the same may be amended, superseded or replaced from time to time.

2. Property Numbers

- A. Each residence and business property shall have a number indicating its position on the road on which it is located.
- B. In general, numbering shall begin at the end of the road closest to the most direct route from the Cushing Fire Station, as determined by the Board of Selectmen, with even numbers appearing on the left side of the road and odd numbers appearing on the right side of the road.

- C. In general, one whole number on each side of the road shall be assigned for every fifty (50) feet of road frontage, whether the property is improved or unimproved.
- D. Every improved property with more than one principal use or occupancy shall have a separate designator for each use or occupancy (i.e. 125 Razorville Road, Apt. 2).

**ARTICLE VI
NUMBERS AND NAMES TO BE POSTED**

- 1. Every owner of an improved property shall, within thirty (30) days of notification as defined in Article IX, Section 5 of this ordinance, or within thirty (30) days of new habitation, display and maintain in a conspicuous place on said property the number assigned.
 - A. Number on the Structure or Residence. Where the residence or structure is within fifty (50) feet of the edge of the road right-of-way, the assigned number may be displayed on the front of the residence or structure near the front door or entry. The number assigned shall be displayed in numeral form and be no less than five inches (5") high and shall be of some reflective material for better night visibility, or shall be numbered as in B.
 - B. Number at the Road Line. Where the residence or structure is over fifty (50) 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 next to the walk or access drive to the residence or structure. The number assigned shall be displayed in numeral form and be no less than four inches (4") high and shall be of some reflective material for better night visibility.
 - C. Every person whose duty is to display the assigned number shall remove any different number that might be mistaken for, or confused with, the number assigned in conformance with this ordinance.
 - D. Interior location. All residents and other occupants are requested to post the assigned number and road name next to their telephone for emergency reference.

**ARTICLE VII
PROPOSED ROADS AND STRUCTURES**

- 1. Proposed roads shall be named and numbered in accordance with the provisions of Article V of this ordinance. All proposals for road names shall be subject to confirmation and possible alteration by the Cushing Board of Selectmen.
- 2. On any final plan submitted to the Cushing Board of Selectmen showing proposed roads, applicants shall mark on the plan lines or dots, in the center of the proposed roads every fifty (50) feet so as to aid the town in assigning numbers to properties.

3. No building or occupancy permits for new structures will be issued in the Town of Cushing unless the applicant demonstrates that they have applied for or received the assignment of a property number from the Cushing Board of Selectmen.

ARTICLE VIII VIOLATIONS

1. Unlawful to deface assigned numbers or road signs.
 - A. No person may alter, deface, or remove any number placed on any property in accordance with this ordinance, except for repair or replacement within twenty-four (24) hours of such number.
 - B. No person may alter, deface, or remove any road sign erected in accordance with this ordinance, except for repair or replacement within twenty-four (24) hours of such sign.
2. Any violation of any provision of this ordinance shall be subject to a civil penalty, payable to the Town of Cushing, Maine, of not less than twenty-five dollars (\$25.00) nor more than one hundred fifty dollars (\$150.00), for each violation, together with attorney's and other legal fees incurred by the Town of Cushing, Maine in the enforcement of this ordinance, as provided for by law.
3. Each day a violation is permitted to continue following citation by the Cushing Code Enforcement Officer or the Cushing Board of Selectmen, or their designee shall constitute a separate offense.

ARTICLE IX AMENDMENTS AND OTHER LEGAL PROVISIONS

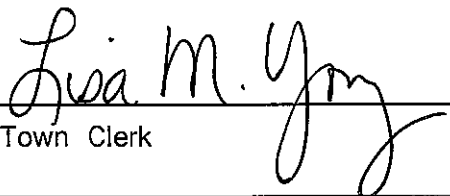
1. **Interpretation:** Interpretation of what may not be clear in this Ordinance shall be according to the intent of the Ordinance.
2. **Conflict with Other Ordinances:** Whenever the regulations of this Ordinance conflict with those of another Ordinance, the stricter shall apply.
3. **Severability:** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.
4. **Amendment:**
 - A. No regulation or amendment of this ordinance shall be adopted until after the Selectmen of the Town have held a public hearing thereon at least ten days before it is submitted to the legislative body for consideration. Public notice of the hearing shall be made at least ten days prior to the hearing.

B. Amendments to this Ordinance shall be considered following petition, recommendation of the Cushing Fire Department and Cushing Rescue Squad, or motion of the Selectmen. For petitions, signatures numbering not less than 10% of the number of votes cast in the town in the last election for governor shall be required before the proposed amendment will be brought for a vote.

5. Effective Date:

- A. This ordinance shall be enacted and be of full force and effect on the day of approval of this ordinance by the voters of the Town of Cushing, in Town Meeting assembled.
- B. It shall be the duty of the Board of Selectmen to notify by mail each property owner required to display an assigned number and the United States Post Office of the new address within thirty (30) days of official adoption of the "Property Number Map of the Town of Cushing, Maine" as provided for in Article IV, Section 1 of this ordinance.
- C. It shall be the duty of each property owner assigned a property number to comply with this ordinance within thirty (30) days of notification in accordance with Article VI of this ordinance.
- D. It shall be the duty of each property owner of a new structure of a new structure assigned a property number to comply with this ordinance within thirty (30) days of habitation in accordance with Article VI of this ordinance.

"Attest. A true copy of an ordinance entitled The Cushing Addressing Ordinance, as certified to me by the municipal officers of the Town of Cushing, Maine, and adopted by the town meeting on the 19th day of March, 1996, and amended on the 20th day of March, 2007."



Town Clerk