

ALLEGHANY COUNTY

ENHANCED 911

ADDRESSING AND ROAD NAMING ORDINANCE

ADOPTED

JULY 17, 1995

BY:

THE ALLEGHANY COUNTY BOARD OF COMMISSIONERS

ENACTMENT

This ordinance establishes a uniform system for addressing and road naming, for the Alleghany County Enhanced-911 system and for the enforcement thereof.

PREAMBLE

WHEREAS, in the opinion of the Alleghany County Board of Commissioners, a uniform system for addressing and road naming is required to promote the health, safety, and the general welfare of the citizens of Alleghany County, and

WHEREAS, the Alleghany County Board of Commissioners are desirous that this approach reflect the counties emphasis upon minimizing problems of identification for emergency services and other services, and

WHEREAS, all applicable requirements of the General Statutes of the State of North Carolina have been met.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEGHANY COUNTY, NORTH CAROLINA, AS FOLLOWS:

SECTION 10. AUTHORITY

The provisions of this ordinance and all appendices herein are adopted under the authority granted by N.C. General Statute 153A-239.1.

SECTION 20. PURPOSE AND INTENT

The purpose and intent of this ordinance is to provide for a uniform County-wide system with respect to the naming of streets and roads; fabrication, erection and maintenance of

signs and assigning of numbers to all properties and buildings throughout the County's jurisdiction in order to facilitate adequate public safety and decrease emergency response time.

SECTION 30. JURISDICTION

The jurisdiction of this ordinance includes the entire geographic area of Allegheny County with the exception of the Town of Sparta. The municipal areas within Allegheny County (Town of Sparta) are specifically excluded from this ordinance.

SECTION 40. NUMBERING SYSTEM

On the property-numbering map, the NORTH/SOUTH base line is hereby designated as U.S. Highway 21, beginning at the Wilkes/Allegheny County Lines and running north through Sparta and continuing north to the Virginia/ North Carolina State Line.

The EAST/WEST base line is hereby designated as N.C. Highway 18, beginning at the Surry/Allegheny County Lines and running west through Sparta to the Ashe/Allegheny County Lines.

SECTION 50. ROAD NAME SIGNS

Road name signs shall be assigned and installed for all roads, whether public or private, and at all intersections throughout the entire geographic area of Allegheny County, excluding the Town of Sparta, in accordance with N.C. General Statute 153A-239.1. Maintenance of the road name signs within the municipalities will remain the responsibility of the municipality.

SECTION 60. DEFINITIONS

For the purpose of this ordinance the following terms shall be defined as specified below. Unless specifically defined; words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage, and to give this ordinance the most reasonable application.

1. **BASE LINE:** Can be defined as those lines which divide the county into identifiable sectors and which follow prominent major thoroughfares. In each case, one base line runs NORTH/SOUTH and the other runs EAST/WEST. Base lines intersect at a given reference point.
2. **REFERENCE POINT:** The reference point for the Allegheny County Addressing System is hereby designated to be at the Allegheny County Courthouse; which is situated at the

intersection of U.S. Highway 21 and N.C. Highway 18 in Sparta, North Carolina.

3. FRONTAGE UNIT: A frontage unit is a standard interval in feet used to assign consecutive property numbers on a street or road. The standard frontage unit adopted for use throughout Alleghany County is 5.28 feet.
4. ROAD: A public or private one-way or two-way road for ingress and/or egress. Such roads may be of various types including frontage roads, rear access roads, roads with cul-de-sacs, and dead-end roads. This definition includes secondary roads but does not include driveways.
5. PRIVATE ROAD: Any road which is not maintained by the N.C. Department of Transportation and/or municipality through the use of public funds.
6. OFFICIAL ROAD NAMES: The road name list and the road name map on file with the Alleghany County E-911 Project Coordinator is hereby declared the official road names and map for all Alleghany County roads, unless changed by action of the Alleghany County Commissioners.
7. ROAD ADDRESS: The combination of numbers and road names assigned to a particular location by the Alleghany County E-911 Coordinator, according to this ordinance, which uniquely identifies a particular location.
8. DRIVEWAYS: A private way, beginning at the property line of a lot abutting a public road, private road, easement, or private right-of-way, giving access from that public road, private road, or private right-of-way, and leading to a building, purpose of use or structure on that lot.
9. E-911 COMMITTEE: A committee composed of the E-911 Coordinator, Postal Service Representative, County and Municipality Representatives, Emergency Services Personnel and N.C. DOT Representatives that will serve in an advisory status for the E-911 Program for Alleghany County.
10. SUBDIVISION: For the purpose of this ordinance, the term "subdivision" shall mean all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all division of land involving the dedication of a new street or a change in existing streets.

SECTION 70. NAMING OR RENAMING OF COUNTY ROADS

1. Request for new road names and road name changes must

include a completed petition signed by at least 50% plus one of the residents along the affected road.

2. Petition to change a road name must include a fee of \$35.00 per sign blade to cover the cost of replacing signs in addition to a fee of \$500.00 for advertising public hearings and data maintenance costs for computer updating. If the County Commissioners do not approve the request, only the sign cost will be refunded.
3. There is no fee for requesting names for unnamed public or private roads, however the procedure is the same.
4. Petition applications may be obtained from the E-911 Coordinator.
5. Petitions for road name changes shall be considered annually during the 1st quarter of the fiscal year by the Allegheny County Commissioners. Petitions for naming unnamed roads shall be considered as needed.
6. Petitions to name unnamed roads or to change a road name must be approved by the Fire Department Chief serving the affected area prior to being forwarded to the Allegheny County Board of Commissioners.
7. The E-911 Coordinator will review requests to determine if all procedures are met, and to ascertain that the proposed road names does not duplicate an existing name and also to ensure that the petition meets all other requirements of this ordinance.
8. It shall be the responsibility of the developer of any new subdivision within the boundaries of Allegheny County and subdivided after the effective date of this ordinance to bring said subdivision into compliance with the Allegheny County guidelines for road naming and road sign installation.

SECTION 80. NEW ROAD NAMES

The Allegheny County E-911 Project Coordinator is hereby authorized to prepare and present to the County Commissioners, recommendations for the naming of all unnamed roads, both public and private within the unincorporated area of Allegheny County and to propose new names to eliminate duplications and sound alike road names, and to present all petitions received to change the names of an existing road.

SECTION 90. ADDRESSING

1. All roads, both public and private, shall be

named and addressed if two or more addressable structures, including mobile homes, are located on or accessed by them. This shall apply except when the intent of the road or drive is for access to future multiple addressable structures, Eg. Industrial Parks, Subdivisions etc., in this event the road or drive will need to be named and addressed for a single structure.

2. When each house or building has been assigned its respective address, the County E-911 Coordinator, in cooperation with the U.S. Postal Service shall notify the owners, or occupants, agents of the affected house or building, by letter, advising them of their new address.

SECTION 100. DISPLAY OF ADDRESS NUMBERS

1. The official address number must be displayed on the front of a building or at the entrance to a building which is most clearly visible from the street or road during both day and night. It shall be the responsibility of the owner to purchase and maintain the address number in a legible state.
2. If a building is more than 100 feet from any road, the address number shall be displayed at the end of the driveway or easement nearest the road which provides access to the building. This will be accomplished by affixing the address numbers on a post or placard at a height of three (3) feet above ground level.
3. Numerals indicating the address number of a single family dwelling shall be at least three (3) inches in height, of a reflective material, and shall be posted and maintained so as to be legible from the road. The optimum height for placement of these numbers is between 5 (five) and 6 (six) feet above ground level.
4. Numerals for multiple dwelling units and nonresidential buildings shall be at least six (6) inches in height and shall be placed on the front of the building facing the road or on the end of the building nearest the road.
5. Numerals must be of contrasting color to the background.
6. Mobile home lots shall have sequential address numbers throughout the park. Each lot will have a separate address number assigned. The address number of each lot must be clearly displayed on the lot by being attached to the mobile home consistent with paragraph one (1) above. No unit designator shall be allowed in the address of mobile homes.

7. The address shall be placed on existing buildings within sixty (60) days from the date of the letter of notification.
8. Any and all signs that may be construed as contradictory in any form shall hereby be unlawful to erect on or near state right-of ways.

SECTION 110. NEW ADDRESS ASSIGNMENT:

1. The owner, or occupant, or person in charge of any house or building in need of an address in the unincorporated area of Allegheny County shall apply for same through the County Tax Collectors Office.
2. No building permit shall be issued for any principal building until the owner or occupant has procured from the County Tax Collectors Office the official address of the premises.
3. Final approval for a certificate of occupancy of any principal building erected or repaired after the effective date of this ordinance shall be withheld until a permanent and proper address has been displayed in accordance with the requirements outlined in this ordinance.
3. No Certificate of Completion as required by the Allegheny County Mobile Home Park Ordinance for mobile home parks shall be issued until address numbers are properly displayed.

SECTION 120. ORDINANCE ADMINISTRATOR

1. The E-911 Coordinator is hereby designated as the Administrator of this ordinance and shall have the authority to verify, modify, or assign addresses and to enforce the requirements of this ordinance.
2. The Ordinance Administrator shall assign and maintain a record of all addresses for Allegheny County.
3. The Ordinance Administrator shall maintain a database of existing road names, such that duplication and sound-alike road names are neither assigned nor approved.

SECTION 130. AMENDMENTS:

Petitions for amendment of this ordinance may be filed with the E-911 Coordinator by any citizen of Allegheny County, or any County Department or Agency.

SECTION 140. COMMISSIONERS REVIEW:

The provisions and requirements of this ordinance may be amended by the Alleghany County Commissioners according to the following procedures:

No amendment shall become effective unless it has been proposed by or shall have been reviewed by the E-911 Committee for Alleghany County. The E-911 Committee shall have forty-five (45) days in which to review the proposed amendment and to make recommendations to the Alleghany County Board of Commissioners. If the e_911 Committee fails to report within the forty-five (45) days, it shall be deemed to have approved the proposed amendment.

SECTION 150. VARIANCES AND EXCEPTIONS:

The Alleghany County Board of Commissioners may issue variances and exceptions from the requirements of this ordinance such that would not be contrary to the public interest, or the spirit and intent of this ordinance, and where due to special conditions, a literal enforcement of the provisions of this ordinance would result in an unnecessary hardship. In granting a variance, the Alleghany County Commissioners may prescribe appropriate solutions as it deems necessary to preserve the intent of this ordinance. In granting a variance or exception to this ordinance the Alleghany County Board of Commissioners must determine the following:

1. Special conditions and circumstances exist which are peculiar to the road-naming or addressing involved and which are not applicable to other roads, or addresses.
2. The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other citizens.
3. Special conditions and circumstances do not result from the actions of the applicant; and
4. Granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other citizens.

SECTION 160. APPEALS:

The provisions of this ordinance shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare. Wherever the requirements of this ordinance differ with the requirements of any other adopted County, State or Federal regulations, the most restrictive or that one imposing the highest

standard shall govern.

SECTION 170. ENFORCEMENT:

1. After the effective date of this ordinance it shall be unlawful for anyone to damage, remove, vandalize or illegally possess any 911 sign or post. Any person, firm or corporation who intentionally violates this ordinance shall be guilty of a misdemeanor and punished by a fine of \$500.00 or thirty days imprisonment or both fine and imprisonment.
2. After the effective date of this ordinance, any person, firm or corporation who intentionally violates any other provision of this ordinance shall be guilty of a misdemeanor and punished by a fine of \$50.00, or imprisoned for not more than 30 days or both fine and imprisonment. Each day's continuing violation is a separate and distinct offense.

SECTION 180. LIMITATION OF LIABILITY:

The County; its Directors, Officers and Agents, are not liable for any damages in a civil action for injuries, death, or loss to persons or property incurred by any person as a result of any act or omission of any of its employees, directors, officers, or agents, except for willful or wanton misconduct, in connection with developing, adoption, implementing, maintaining, or operating any E-911 system.

SECTION 190. SEPARABILITY:

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

EFFECTIVE DATE:

THIS ORDINANCE SHALL BECOME EFFECTIVE AND BE IN FULL FORCE FROM AND AFTER THE 17TH DAY OF JULY, 1995. ADOPTED BY THE ALLEGHANY COUNTY BOARD OF COMMISSIONERS THIS 17TH DAY OF JULY, 1995.

Alleghany Board of Commissioners

(SIG: J. Walter Jones0
J. Walter Jones, Chairman

(sig: Leo J. Tompkins)

Leo J. Tompkins, Vice Chairman

(sig: Robert E. Edwards)
Robert E. Edwards, Member

(sig: Wiley E. McNeil)
Wiley E. McNeil, Member

(sig: Kenneth E. Richardson)
Kenneth E. Richardson, Member

ATTEST:
(sig: Daniel F. McMillan)
Daniel F. McMillan
Clerk to the Board
(County Seal)

FILED FOR REGISTRATION
LIZABETH R. ROUPE
REGISTER OF DEEDS
'95 AUG 18 PM 12 36
BOOK 1 PAGE 138
ALLEGHANY COUNTY, N.C.
(sig: Lizabeth Reeves Roupe)