



REQUEST FOR BOARD ACTION

ITEM NO. 16

DATE OF MEETING: April 20, 2015

REQUESTED BY: Jan Dawson, Addressing Coordinator, ITS
Erik Harvey, Director, ITS

SHORT TITLE: Resolution Approving Amendments to the Pender County Road Naming Ordinance and the Pender County Property Addressing and Display Ordinance.

BACKGROUND: We have strengthened existing language and added new language that we believe will allow us to have more consistent road naming procedures, addressing procedures, and address displaying requirements.

The other recommendations are to provide support for existing items in the ordinance where the ordinance has been unclear or needs further explanation.

Copies of the ordinances incorporating the amendments are attached. The new language is highlighted in "red".

The Legal Notices have been properly advertised.

SPECIFIC ACTION REQUESTED: The Pender County Board of Commissioners is requested to approve the amendments to the Pender County Road Naming Ordinance and the Pender County Property Addressing and Display Ordinance.

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that the amendments to the Pender County Road Naming Ordinance and the Pender County Property Addressing and Display Ordinance are hereby approved. The County Manager is authorized to execute any and all documents necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: Williams ___ Brown ___ McCoy ___ Piepmeyer ___ Tate ___

J. David Williams, Chairman 4/20/15
Date

ATTEST 4/20/15
Date

**ROAD NAMING ORDINANCE
FOR THE
COUNTY OF PENDER, NORTH CAROLINA**

ARTICLE I Title, Authority, Purpose and Jurisdiction

Section 101 Title

This ordinance shall be known and may be cited as the Road Naming Ordinance for the County of Pender, North Carolina.

Section 102 Authority

This ordinance is adopted under the authority and provisions of the General Statutes of North Carolina, Chapter 153A-121, 239.1, and local modifications thereto.

Section 103 Purpose

The purpose of this ordinance is to provide a uniform system of road naming along both public and private roads in order to facilitate the provision of adequate public safety and emergency response services. This ordinance is designed to:

1. Establish the procedures by which a road may be named or by which an existing name may be changed.
2. Establish and maintain an official map and listing of all roads in Pender County.
3. Eliminate duplicate or phonetically similar road names in accordance with the National Emergency Number Association (NENA) road naming standards.
4. Provide for the uniform marking of roads.

Section 104 Jurisdiction

This ordinance, the regulations, and the procedures contained herein shall apply to and govern each and every public or private road within the County of Pender outside of the jurisdiction of any incorporated municipality.

Section 105 Definitions

Addressing Coordinator: The official charged with the administration of this ordinance including their authorized representatives.

Directional: This includes the cardinal (North, South, East, West) points of direction.

Master Street Address Guide (MSAG): Consists of the street name, number range, and emergency providers for that range.

Official Road Name: Any road name that has been approved by the Pender County Board of Commissioners.

Private Road: A road that has not been or not intended to be accepted for permanent maintenance by North Carolina Department of Transportation for use by the public.

Public Road: A road, so classified by the North Carolina Department of Transportation or by the standards of Pender County, designed to provide access to adjoining or abutting properties.

Road: Is defined as a thoroughfare for motor vehicle use.

Road of Origin: Each road shall have a road of origin. Generally, a road's origin will be the beginning point of the road as accessed from another road, from major road to minor roads, and from proximity to the axis point. These road origins shall be established by the Addressing Coordinator.

Street Suffixes: The word following the street name that indicates the street type.

T Intersection: A place where one road joins two others but does not cross them, so that the roads form the shape of the letter "T".

ARTICLE II General Statutes

Under the authority and provision of the General Statutes of North Carolina, Chapter 153A-239.1 and local modifications thereto, a county may by ordinance, name or rename any road within the county and not within a city, and may assign or reassign street numbers for use on such a road. In naming or renaming a road, a county may not:

1. Change the name, if any, given to the road by the Board of Transportation unless the Board of Transportation agrees;
2. Change the number assigned to the road by the Board of Transportation, but may give the road a name in addition to its number; or
3. Give the road a name that is deceptively similar to the name of any other public road in the vicinity.

A county shall not name or rename a road or assign or reassign street numbers on a road until it has held a public hearing on the matter. At least 10 days before the day of the hearing the Board of Commissioners shall cause notice of the time, place, and subject matter of the hearing to be prominently posted at the county courthouse, in at least two public places in the township or townships where the road is located, and shall publish a notice of such hearing in a newspaper of general circulation published in the county. After naming or renaming a road, or assigning or reassigning street numbers on a road, a county shall cause notice of its action to be given to the local postmaster with jurisdiction over the road, to the Board of Transportation, and to any city within five miles of the road.

ARTICLE III Procedures

Section 301 Pender County Road Naming Committee *Removed 8-17-09*

Section 302 Road Naming

The Pender County Addressing Coordinator is authorized to determine the need for new road names or road name changes within jurisdiction of Pender County for both private and public roads outside the corporate limits of any municipality within the county. The Board of Commissioners will entertain amendments to the Road Naming Ordinance when submitted by the Addressing Coordinator.

A. New Road Names

When a public or private road provides access to more than 3 residences, businesses, industries, or combinations thereof, regardless of the length of such road, a road name shall be assigned. The property owners along such road shall provide a petition with the proposed road name to the Pender County Addressing Coordinator within thirty (30) days of written notice. The proposed road name will be subject to review pursuant to the criteria set forth in this ordinance. If there is a unanimous decision among the property owners as to the name of the road and as long as the submitted name satisfies the criteria established by this Ordinance, the Addressing Coordinator shall review the petition and approve the submitted name. If a consensus among the property owners cannot be met, the Addressing Coordinator shall submit the name recommended by the majority of the property owners to the Pender County Board of Commissioners.

B. Road Name Changes

Any road officially named by the Pender County Board of Commissioners shall not be petitioned for a road name change unless:

1. Evidence shows a mistake was made in the naming of the road in the form of deeds, plats, or maps.
2. The road has been physically altered.
3. By special direction from the Addressing Coordinator for a unique circumstance.
4. If a petition is made for a road name change, the petition must be signed by a majority of the property owners along the road in question with each such person's mailing address and telephone number listed. The petition shall identify one of the signatories as spokesman for the applicants. Because of the cost involved and the confusion generated during this process, the county will follow a basic policy of discouraging petitioned road name changes.

C. Criteria

The following criteria shall be used to formulate recommendations for road names or changes:

1. When appropriate and feasible, commonly known informal road names shall be retained.
2. The Addressing Coordinator should consider geographical, physical and historically significant factors regarding the road.
3. U.S. and N.C. highways shall retain their numbers as their road names throughout the county.
4. Offensive or distasteful road names shall not be used.
5. Family names for road identification shall be permitted when there is a well-established non-conflicting history as to the particular family being the majority of the residents of the road.
6. Roads with continuous alignments should have only one name.
7. New road segments that are an extension or a continuous alignment of an existing road shall maintain the existing road name.
8. Road names and/or numbers should only change when there is a substantial intersection, or at municipal boundaries.
9. When renaming a road consider the following:
 - a. The road with a name of historical significance should have its name retained.
 - b. The road with the most properties on it should retain its name.
 - c. The road that has been named for the longest period of time shall retain its name.
10. A directional must be placed ahead of the road name and cannot be used as a suffix. If a "North" directional is used there must be a "South" directional. If an "East" directional is used there must be a "West" directional. The prefix "N" shall be used for North, the prefix "S" shall be used for South, the prefix "E" shall be used for East and the prefix "W" shall be used for West.
11. In the case of a double ended road, two different road names may be assigned or a directional prefix may be utilized indicating which direction that portion extends from the road of origin. A cardinal direction is recommended in the naming of a T intersection.

D. Prohibited Road Names

The Pender County Addressing Coordinator shall not recommend newly proposed road names which fall under the following categories:

1. Numbers used as part of the name, unless the name is well known and there is a general acceptance.
2. Names which are difficult to pronounce.
3. Names which are less than 3 characters in total length or over 20 characters in total length, including spaces, but not including street type.
4. Names which are duplicated in neighboring counties where the roads are in the same U.S. Postal District, fire department district, rescue district, or telephone exchange.

5. Names which are similar to the name of an existing subdivision or landmark unless the road lies within that same subdivision.
6. Duplicate, near duplicate (Ex. Apple Road and Apple Hill Road) or phonetically similar road names.
 - a. Streets having the same name but different street types are considered duplicate names.
 - b. Streets having the same name but different directionals are considered duplicate names unless they are in continuous alignment and are intersected by another road.
7. Names that contain a street type or directional within the road name field.
8. "EXT" is not to be used as a suffix when a road is extended. Instead, the name shall remain the same and the address range extended to accommodate the new section.

E. Street Suffixes:

Alley = Aly	Lane = Ln
Avenue = Av	Loop = Loop
Bay = Bay	Parkway = Pkwy
Bend = Bend	Path = Path
Boulevard = Blvd	Place = Pl
Branch = Br	Point = Pt
Cay = Cay	Ridge = Rdg
Center = Ctr	Road = Rd
Circle = Cir	Run = Run
Court = Ct	Spur = Spur
Cove = Cove	Station = Sta
Crest = Crst	Street = St
Crossing = Crsg	Terrace = Ter
Drive = Dr	Trace = Trc
Highway = Hwy	Trail = Tr
Hollow = Holw	Walk = Wk
Landing = Ldg	Way = Way

F. Subdivisions

For all subdivisions in which new roads are proposed, the following items must be submitted by the developer to the Pender County Addressing Coordinator at the preliminary review phase:

1. A scaled map of the road layout with the proposed name identified on each road.

2. An alphabetical list of the proposed road names. An alternate name for each road should also be submitted for review should the proposed name not comply with subsections D and E of this Section.
3. A signature line labeled "Reviewed and Approved by the Addressing Coordinator"
4. The new subdivision name shall not duplicate an existing road name or existing subdivision name.

The Addressing Coordinator will review the proposed road names for overall compliance with the Pender County Road Naming Ordinance. If a submitted road name(s) does not comply with this ordinance, the Addressing Coordinator will contact the developer, explain the reasons for non-compliance, and request new names be submitted. Road names for new developments may be reserved for up to two years.

After preliminary approval, any road configuration change or any request to change an approved road name will require resubmission of the map and the road name list for review. The approved road names shall be identified on the final approved plan with a signature line labeled "Reviewed and Approved by the Addressing Coordinator" and a copy submitted by the developer or the Planning Department to the Addressing Coordinator.

ARTICLE IV Official List, Official Map, and Identification

Section 401 Road Name List and Map

The Pender County Information Technology Services Department shall maintain a listing of all official road names in Pender County as well as maintain an official street centerline database exhibiting the approved names and location of all roads in Pender County.

Section 402 Identification

A sign showing the official name and state road number shall identify all public roads in the unincorporated areas of Pender County. These road signs shall be placed at all intersections.

A sign showing the official name shall identify all private roads in the unincorporated areas of Pender County. These road signs shall be placed at all intersections.

Every road sign shall comply with the following criteria:

1. The sign blade shall be constructed of aluminum with green sheeting, 6 inches in width, and extruded edges.
2. The lettering shall be upper case, 4 inches in height, at least ½ inch in stroke, and shall be made of white reflective material.
3. The street type and state road lettering shall be upper case, 2 inches in height, at least ¼ inch in stroke, and shall be made of white reflective material.
4. The post shall be constructed of U-shaped galvanized steel measuring 12 feet in height.
5. The post shall be firmly anchored with the sign blade approximately 8 feet above ground.

6. Developers of subdivisions shall be responsible for the initial street signs. The sign blade must meet the criteria as set forth in this ordinance.
7. Developers of subdivisions may utilize decorative posts and brackets only if the road will not be petitioned for addition to the state highway system. In the event the sign is stolen or damaged, the developer or Homeowners Association shall be responsible for replacing the posts and brackets.
8. Sign installers shall work with the North Carolina Department of Transportation and the various utility companies as to the particular location of the sign. If the road is private in nature, the sign must be installed within the right-of-way or easement of said road and be clearly visible.

Article V Installation and Maintenance

Section 501 Installation

The Pender County Public Works Department shall be responsible for the provisions of installation of road signs, except in the case of subdivisions with proposed new roads wherein the developer in that case shall be responsible for the installation of said signs.

Section 502 Maintenance

The Pender County Public Works Department shall be responsible for repair and replacement of road signs.

Article VI Violations

It shall be unlawful for any person(s) to:

1. Erect any road sign with an unofficial name or a name that is substantially similar to any public road or private road in the unincorporated areas in Pender County.
2. Remove, deface, damage, or obscure a road sign in the jurisdiction of this ordinance.
3. Erect any road sign that does not meet the Pender County sign specifications.
4. Number or assign a number to any structure without the written approval of Pender County.

Article VII Penalty and Enforcement

Section 701 Penalty

Any person who does not comply with this ordinance will be notified, by certified mail, to meet the requirements within 30 days from the date of notification. Any person violating provisions 1 and 2 in Article VI of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine of not more than fifty dollars (\$50) dollars or imprisonment of not more than thirty (30) days as provided by North Carolina General Statute 14-4. Each day shall constitute a separate violation and shall be punishable as a separate offense.

Section 702 Civil Remedies

Any violation of this ordinance may be subject to civil remedies as set forth in North Carolina General Statute 153A-123. This ordinance shall be enforceable by citation, injunction and restraining order. Any person violating the provisions of this ordinance shall be subject to a civil penalty for each violation in the amount of fifty dollars (\$50). Each day of violation shall constitute a separate and distinct offense.

Section 703 Enforcement

Any sworn officer, including but not limited to, Law Enforcement and Code Enforcement, or the Addressing Coordinator is authorized to issue civil citations in the name of the county for violations. Civil penalties must be paid within twenty (20) working days after a citation has been issued.

Article VIII Amendment Procedure

The Pender County Board of Commissioners may amend this ordinance as needed.

Article IX Conflict

Insofar as the provisions of this ordinance are inconsistent with the provision of another law, except state or federal law, the provision of this ordinance shall control.

Article X Effective Date

This ordinance shall be in full force and effective upon approval by the Pender County Board of Commissioners and shall supersede any and all other ordinances adopted for the purpose of naming and renaming public and private roads in Pender County.

ADOPTED this 19th day of August, 2002.

ADOPTED this 17th day of August, 2009.

ADOPTED this 17th day of September, 2012

ADOPTED this 20th day of April, 2015

David Williams, Chairman

ATTEST: _____
Randell Woodruff, Clerk to the Board

**PENDER COUNTY
PROPERTY ADDRESSING AND DISPLAY ORDINANCE**

Article I Title, Purpose, and Responsibility

Section 101 Title

This ordinance shall be known as the Pender County Property Addressing and Display Ordinance.

Section 102 Purpose

This ordinance is adopted for the purposes of:

1. Implementing a systematic numbering system for all addressable structures within the geographic limits of Pender County as related to the Emergency 911 Telephone System; and
2. Establishing procedures through which the implementation of Chapter 62A of the North Carolina General Statutes may be carried out; and
3. Establishing procedures through which these purposes can be fulfilled.

Section 103 Responsibilities

The Addressing Coordinator, or their assigned agent, shall be responsible for assigning a number for each addressable structure in Pender County including the municipalities of St. Helena and Watha. As conditions merit, such official numbers may be changed upon proper official notice to the property owner and public agencies.

Article II Compliance and Standards

Section 201 Numerical Addressing

Numerical addressing will be assigned using the federal standard scale of 1000 numbers per mile, which calculates to an available number every 5.28 feet. The range of addresses shall begin with the lowest number in the range being closest to the road of origin. As the numbers are increasing, even numbers will be assigned to structures located on the right side of the road and odd numbers will be assigned to structures located on the left side of the road. All addresses should numerically balance on both sides of the road.

1. It is the policy of Pender County to assign addresses when the footing inspection has been approved or when there is a final site plan approval. The only deviation of this policy is when the structure is located in an approved subdivision where addresses have previously been assigned.

2. Addresses will be assigned to the front door of the structure. Structures that are situated more than two hundred (200) feet from a named road will be addressed where the driveway intersects the road. If the structure is not visible from any distance off the road the address will be assigned at the driveway. Structures using the same driveway shall be addressed with the structure nearest the road of origin having the lower digit.
3. In the event a portion of a roadway that has been addressed using the 5.28 numbering scheme is spot annexed into a municipality, the current numbering scheme shall be maintained.
4. Corner lots will be assigned an address from the road on which the structure faces. An address can be assigned from the side road location in situations where the front of the building is obscured or difficult to distinguish.
5. Addresses should not be assigned to structures that are simply accessory to the principal building.
6. Garage apartments shall be given a new address. If there are no addresses available then a unit letter may be assigned (ex. 503A) as a last resort.
7. Duplexes and multi-family residential development will be assigned structure numbers as well as unit numbers. For multi-story development the number will reflect the floor number and unit number.
8. Commercial development will be assigned structure numbers as well as suite numbers. Each individual building shall have a separate address. For multi-story development the number will reflect the floor number and suite number.
9. Each mobile home within a mobile home park shall be assigned a primary 911 address. A mobile home park owner may assign lot numbers but the lot numbers shall not be used as the physical address.

Section 202 Compliance

The Building Inspector shall not issue a Certificate of Compliance or a Certificate of Occupancy until the new structure complies in full with the requirements of this ordinance.

The owner of any existing structure, mobile home park, or complex shall be required to comply with this ordinance within thirty (30) days of written notification by the Pender County Addressing Coordinator, or their agent.

Section 203 Size

The standard minimum size of a number for a typical residential or nonresidential structure shall be three (3) inches in height. The standard minimum size of a number for a large residential or nonresidential structure such as an apartment, townhouse, condominium complex or a commercial or industrial complex shall be six (6) inches in height. Minimum sizes larger than the standard shall be required in any situation where the standard size would not provide necessary identification deemed appropriate by the 911 Addressing Coordinator or their assigned agent.

Section 204 Color

The color of the numbers placed on a structure or pedestal shall be in contrast to the color scheme of the structure or pedestal so that the number is clearly visible. Reflective numbers for nighttime identification are encouraged.

Section 205 Locations

Every structure shall be posted with the official assigned number in at least one location in conformance with this ordinance and as follows:

1. The location of the numbers shall be maintained within a three (3) foot perimeter of the structure entrance. For apartment, townhouse, condominium, commercial or industrial complexes, the numbers shall be located in the approximate center of the building or on the end of the building so that they are clearly visible from the road. Each individual unit must also be posted with the assigned unit number/suite number, letter or combination thereof. In the event the structure is located in such a manner that the assigned number is not visible, additional posting of the numbers shall be required at the driveway entrance or access to the structure.
2. All commercial or industrial buildings that have a rear or side door that is used for deliveries, public entry purposes, or as a required exit, shall be posted with the official assigned number at such doors.

Section 206 Subdivisions

According to the U S Postal Service Reform Act a cluster box is required when there are eight (8) lots or more in a subdivision. The address shall be displayed on the structure in such a way that is clearly visible from the roadway. Additional requirements are as follows:

1. If the structure is less than 75 feet from the roadway the address shall be composed of numbers no less than 3 inches in height.
2. If the structure is more than 75 feet from the roadway the address shall be composed of numbers no less than 4 inches in height.
3. If the structure is more than 150 feet from the roadway the address shall be composed of numbers no less than 4 inches in height and displayed at the driveway entrance with a decorative post or placard.

Section 207 Maintenance

Following the posting of the assigned number, as required, the owner or occupant shall at all times maintain such house or building number in compliance with the above standards. Building numbers shall not be obstructed from view.

Article III Exceptions

The Addressing Coordinator will have the right to authorize and approve alternate methods of displaying property numbers which meet the intent of this ordinance when strict adherence to the standards herein set forth cannot reasonably be met.

Article IV Violation

It shall be unlawful for:

1. Any owner or occupant to fail to post the official assigned number in accordance with Section 205 of this ordinance.
2. Any person to assign a number to any structure without written approval of Pender County.

Article IV Penalty and Enforcement

Section 401 Civil Remedies

Any person who does not comply with this ordinance will be notified, by certified mail, and required to come into compliance within 30 days from the date of notification. Any violation of this ordinance may be subject to civil remedies as set forth in North Carolina General Statute 153A-123. This ordinance shall be enforceable by citation, injunction and restraining order. Any person violating the provisions of this ordinance shall be subject to a civil penalty for each violation in the amount of fifty dollars (\$50). Each day of violation shall constitute a separate and distinct offense.

Section 402 Enforcement

Any sworn officer, including but not limited to, Law Enforcement and Code Enforcement, or the Addressing Coordinator is authorized to issue civil citations in the name of the county for violations. Civil penalties must be paid within twenty (20) working days after a citation has been issued.

Article V Effective Date

This ordinance shall be in full force and effective upon approval by the Pender County Board of Commissioners.

ADOPTED this 19th day of August, 2002.

AMENDED this 17th day of August, 2009.

AMENDED this 20th day of April, 2015.

David Williams, Chairman

Attest: _____
Randell Woodruff, Clerk to the Board