

**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.
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. For the purpose of this ordinance, a road is defined as: a thoroughfare designed for the use of motor vehicles, which is the means of access to abutting property.

**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 road names and changes and, *if there is not a unanimous decision among the property owners*, to recommend such additions or changes to the Pender County Board of Commissioners 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 shall provide the Pender County *Addressing Coordinator* a petition with the proposed road name. 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 after review shall submit the recommended name 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; or 3) by special direction from the *Addressing Coordinator* for a unique circumstance. If 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 road name changes.

#### C. Subdivisions

For all subdivisions in which new roads are proposed, the following items must be submitted by the developer to the *Information Technology Services Department* 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 alternant name for each road should also be submitted for review should the proposed name not comply with subsections D and E of this Section.

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.

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 and a copy submitted by the developer to the *Information Technology Services Department*.

#### D. 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. Undesirable or distasteful road names shall not be used.
5. When a road naming conflict occurs between property owners, the *Addressing Coordinator* shall recommend approval of the name requested by the majority of the property owners if the proposed name meets the criteria of this ordinance.

6. Family names for road identification shall be permitted when there is a well-established nonconflictual history as to the particular family being the majority of the residents of the road.
7. Roads with continuous alignments should have only one name.

E. 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 that 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 suffixes.*
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 unless the road lies within that same subdivision.
6. Duplicate, near duplicate or phonetically similar road names. *Two streets having the same name but different suffixes are still considered duplicate names.*

**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 suffix 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 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.*
7. Sign installers shall work with the North Carolina Department of Transportation and the various utility companies as to the particular location of the sign.

## **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 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 14-4C. 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 or his designated agent is responsible for the enforcement of this ordinance and 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 supercede any and all other ordinances adopted for the purpose of naming and renaming public and private roads in Pender County.

**ADOPTED this 19<sup>th</sup> day of August, 2002.**

**AMENDED this 17<sup>th</sup> day of August, 2009.**

\_\_\_\_\_  
Jimmy Tate, Chairman

ATTEST: \_\_\_\_\_  
Rick Benton, Clerk to the Board