

CLAY COUNTY, NORTH CAROLINA

ADDRESSING AND ROAD NAMING
ORDINANCE

This ordinance establishes a uniform system for addressing, road naming and for the enforcement thereof.

Preamble

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

WHEREAS, the County Commissioners are desirous that this approach reflect the county's emphasis upon minimizing problems of identification for emergency and other services and,

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

NOW THEREFORE, BE IT ORDAINED BY CLAY COUNTY, NORTH CAROLINA

SECTION 1. Authority

The provisions of this ordinance are adopted under the authority granted by the N.C.G.S. §153A-45.

SECTION 2. Purpose and Intent:

The purpose and intent of this ordinance is to provide a uniform system of addresses for all properties and buildings through the County's jurisdiction in order to facilitate adequate public safety and decrease emergency response time.

SECTION 3. Jurisdiction

The jurisdiction of this ordinance includes the entire geographic area of Clay County.

SECTION 4. Road Name Signs

Road name signs shall be assigned and installed for all roads, whether public or private and at all intersections.

SECTION 5. Definitions

1. 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.

2. Private Road:

Any road which is not maintained by the North Carolina Department of Transportation and/or municipality through the use of public funds.

3. Road Address:

The combination of numbers and road names assigned to a particular location by the Clay County Address Program Administrator.

4. 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, leading to a building, use or structure on that lot.

SECTION 6. Naming or Renaming Roads

1. Request for new names and name changes must include a completed petition signed by at least 51% plus one of the residents along the affected road.

2. Petition to change a road name must include a fee of \$50.00 per sign blade to cover cost of replacing signs in addition to \$100.00 to advertise public hearings. If the County does 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 Addressing Program Administrator.

5. Petitions for road name change shall be considered annually during the 1st quarter by the County. 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 Addressing Program Administrator.

7. The Addressing Program Administrator will review requests to determine if all procedures are met and to ascertain that the proposed names do not duplicate an existing name and also to ensure that the petition meets all other requirements of this Ordinance.

SECTION 6. New Road Names

The Clay County Address Program Administrator is hereby authorized to prepare and present to the County recommendations for the naming of all unnamed roads both public and private within the County 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 7. Addressing

1. All roads, both public and private, shall be named and addressed if three or more addressable structures, including mobile homes, are located on and accessed by them.

2. When each house or building has been assigned its respective address, the Address Program Administrator, in cooperation with the U.S. Postal Service shall notify the owners, or occupants, agents of affected house or building, by letter advising of their new address.

3. Numerals indicating the address number of a single family dwelling shall be at least three (3) inches in height and shall be posted and maintained so as to be legible from the road.

4. Numerals for multiple dwelling units and non-residential 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 (1) above. No unit designator shall be allowed in the address of mobile homes.

7. The address shall be placed on existing buildings within thirty (30) days from the date of the letter of notifications.

SECTION 8. New Address Assignment

1. The owner or occupant or person in charge of any house or building in need to an address shall apply through the Building Inspector's Office.

2. No building permit shall be issued for any principal building until the owners or occupant has procured from the Building Inspector 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 requirements.

SECTION 9. Ordinance Administrator

1. The Address Program Administrator is hereby designated Administrator of this Ordinance and shall have 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 Clay County.

3. The Ordinance Administrator shall maintain a database of existing road names, such that duplication and soundalike road names are neither assigned nor approved. !

SECTION 10. Amendments .

Petitions for amendment of this ordinance may be filed with the Addressing Program Administrator by any citizen of the City, any county department or agency.

SECTION 11. Clay County Review

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

No amendment shall be come effective unless it has been proposed by or shall have been reviewed by the Address Program Administrator. The Address Program Administrator shall have 45 days in which to review the proposed

amendment and to make recommendations to the County If the Address Program Administrator fails to report within 45 days it shall be deemed to have approved the proposed amendment.

SECTION 12. Variances and Exception

The County 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 County 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 13. Appeals

The provisions of this ordinance shall be held to be 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 imposing the highest standard shall govern.

SECTION 14. Enforcement:

After the effective date of this Ordinance, any person, firm or agent thereof who intentionally violates this Ordinance shall be guilty of a Class 3 misdemeanor, for the conviction of which, the maximum penalty of \$50.00 per occurrence by the law may be imposed. Each day's continuing violation is a separate and distinct offense.

SECTION 15. Limitation of Liability

The County, 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, or operating any 911 system.

SECTION 16. 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 ~~13th day of September, 1995~~. Adopted by Clay County this ~~13th day of September, 1995~~
2 October 1995 2 October 1995

Paul W. Jordan

COMMISSIONER, CLAY COUNTY, NORTH CAROLINA
Paul W. Jordan

Melissa B. Roach

ATTEST: CLERK TO THE BOARD
Melissa B. Roach 7.

