
AN ORDINANCE AMENDING CHAPTER 3, ARTICLE VI, OF THE RUTHERFORD COUNTY CODE OF ORDINANCES, STREET NAME, ADDRESSING AND DISPLAY

WHEREAS, E911 Communications and Addressing departments have requested certain changes to the process and procedure of assigning and changing public and private streets and roadways in Rutherford County, and in assigning street numbers for structures, in order to provide more efficient emergency response services to those in need; and

WHEREAS, in order made such changes, it is necessary and appropriate to amend Chapter 3, Article VI, of the Rutherford County Code, currently entitled “Road naming, addressing and display”, in order to assist those emergency responders, including law enforcement, fire and rescue services, and ambulance services in locating individuals in need of those services as quickly as possible; and

WHEREAS, Section 12-2 of the Rutherford County Code, entitled “Procedure for changing or amending road name,” is better and more efficiently incorporated under Chapter 3, Article VI of the Rutherford County Code; and

WHEREAS, the Board of Commissioners of Rutherford County caused notice of the time, place and subject matter of a public hearing on this matter to be posted at the Rutherford County Courthouse, at the Rutherford County Administrative Building, and at the Rutherfordton Town Hall, all of which are located in Rutherfordton Township; and

WHEREAS, the Board of Commissioners of Rutherford County caused publication of the same notice of public hearing to be published in the *Daily Courier* in its issue published June 26, 2025; and

WHEREAS, the Board of Commissioners of Rutherford County conducted a public hearing at the regular meeting on July 7, 2025, on the subject of these proposed changes to the Rutherford County Code, including changes to the procedure established to assign or reassign street numbers on roads within Rutherford County.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rutherford County that Article VI of Chapter 3 of the Rutherford County Code is hereby amended by amending and replacing the language therein in its entirety as follows:

ARTICLE VI. STREET NAME, ADDRESSING AND DISPLAY

Sec. 3-116. Purpose and intent.

The purpose and intent of this article is to provide and enforce a uniform system of road addresses for all properties and buildings through the county in order to facilitate provision of adequate public safety and emergency response services and to minimize difficulty in locating properties and buildings for public service agencies and the general public.

Sec. 3-117. Definitions.

The following words and phrases when used in this article shall have the meanings respectively ascribed to them in this section:

Address Number: Number assigned by the Department to any addressed structure, including any building, mobile home, dwelling, lot space, mobile home space, or other structure or property in a sequential manner.

Addressed Structure: A building, mobile home, dwelling, lot space or mobile home space with hookups such as power, water, septic or sewer, cell tower, utility box, water tank, railroad construction, solar farm, water point or any other type of structure or structural equipment that requires an address location for business or emergency response purposes.

Building: A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, chattels or equipment. When separated by division walls from the ground up without openings, each portion of such building may be deemed a separate building. For the purpose of this article, the term "building" may also include other manmade structures.

County Commissioners: The Board of County Commissioners of Rutherford County.

Department: The Rutherford County E911 Addressing Department, being the official department of Rutherford County charged with the administration of this article, including its authorized agent or delegate.

Developer: Any person, firm, trust, partnership, association or cooperation engaged in the development or purposed development of a subdivision, industrial park or complex, or mobile home park.

Lot Space: Any parcel of ground designated for the exclusive use of one (1) recreational vehicle as defined in Article VII, Chapter 3 of the Code.

Mailing Address: Assigned or used by the U.S. Postal Service for the purpose of delivery of the U.S. mail. Mailing address may or may not be identical to property address.

Mobile Home: A factory-assembled portable housing unit or a portion thereof built on a chassis and intended for use as a dwelling unit and is not constructed in accordance with the standards of the North Carolina Uniform Residential Building Code for one and two-family dwellings. A mobile home is designed to be transported on its own chassis and has a measurement of forty (40) feet or more in length and eight (8) feet or more in width. A mobile home shall be construed to remain a mobile home whether or not wheels, Ashley hitch, or other appurtenances of mobility are removed, and regardless of the nature of the foundation provided. All vehicles which are designated mobile home by the Uniform Standards Code for Mobile Home Act shall be considered mobile homes. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle.

Mobile Home Park: Land leased or rented being used or proposed to be used by mobile homes occupied for dwelling or sleeping purposes, consisting of three (3) or more mobile homes on a single tract shall be considered to be a mobile home park.

Mobile Home Space: Any parcel of ground within a mobile home park, designed for the exclusive use of one (1) mobile home.

Planning Commission: The Rutherford County Planning Commission.

Private Street: Roadway which is not intended to become a public street and which has not been dedicated to the public use and which shall be used for access for more than one addressed structures.

Property Address: The address number assigned by the Department in accordance with this article together with the street name.

Public Street: Roadway located on a right-of-way dedication under the requirements of this article, and which meets the total improvement requirements for a public street as set forth by the North Carolina Department of Transportation in its "Subdivision Roads-Minimum Construction Standards", or any roadway dedicated for public use.

Roadway: Any road, street, drive, land, cartway, tramway, easement, right-of-way, access area, thoroughfare, highway, boulevard, driveway or any other corridor used for or having the potential use as a means of conveyance by a motor vehicle.

State Road Number: A number assigned by the North Carolina Department of Transportation to identify state secondary roads.

Street Name: The official name of any roadway, designated by the County Commissioners or the Department as the designee of the County Commissioner in accordance with this article.

Street Sign: Signage placed at the roadway intersection, which indicates the street name, direction, and, where appropriate, the state road number and block number.

Sec. 3-118. Street names.

- (a) The street names on file with the Department are hereby declared the official names of these roadways, unless changed in accordance with this article. The Department is hereby authorized to act as a clearing house for all information regarding street names and location of roadways in the county. The Department will determine the need to assign street names and to approve all such assignments pursuant to this section and to such policy as the Department shall adopt. The Department will determine the need for changes to street names and to recommend any such changes to the County Commissioners pursuant to the terms of this section. Street name assignments and changes within the limits of any municipality shall be determined by that municipality and not by the Department or by the county except by written agreement between the municipality and the county.
- (b) The Developer, owner, operator, or legally established owners' association, as relevant, of each subdivision, mobile home park, industrial park, and other similar development with new roadways requiring assignment of new street name by recorded approved subdivision plat shall submit a copy of the plat with proposed street names to the Department at least thirty (30) days prior to applying for any necessary building or mobile home permit. The Department must approve all street names before the plat may be recorded at the Register of Deeds. The plat shall include all information required in the Subdivision Regulations of Rutherford County [App. B] as stated in section 703.2.
- (c) All roadways required to have street names assigned shall be in accordance with this section.
 - (1) Street names will be assigned by the Department to all roadways having a minimum of four (4) addressed structures using said roadway for access from and to public street in accordance with written procedures adopted by the Department.
 - (2) Property owners located upon a roadway not having a street name may propose a street name by written petition signed by the majority of owners of parcels located upon the roadway in a form prepared by the Department.
 - (3) If the street name proposed by the petition is accepted by the Department and adopted as the street name, the petitioners will pay a fee in accordance with a fee schedule adopted by the County Commissioners for the cost of purchasing and erecting such street signs as the Department determines necessary, which will be paid to the Department after acceptance of the street name.

(4) If the street name is not accepted by the Department, the Department and the petitioners may agree to a different street name or the Department will assign the street name in accordance with the provisions of Section 3-118(c)(1) above.

(5) The Department shall provide written decision as to why any street name proposed by written petition is not accepted and shall send the written decision to the petitioners. Property owners located upon the roadway may appeal the denial of the proposed street name to the County Commissioners within thirty (30) days of the date of the written decision. In the event of such appeal, the County Commissioners shall hold a public hearing in accordance with the provisions of Section 3-118(d)(5) below.

(6) If a street name is selected by the Department without the agreement of the petitioners, the cost of any street sign is borne by the county.

(d) Street names may be changed only in accordance with the provisions of this section and of N.C. Gen. Stat. §153A-239.1.

(1) The Department, the county manager or the County Commissioners may propose to change a street name for reasons of public safety or public convenience.

(2) Any other person or persons proposing to change the street name of any roadway shall submit a written petition to the Department stating specifically the current street name and a desired new name for the street name the Department has approved.

(3) Upon the receipt of an eligible written petition to change a street name, the Department shall make an estimate of the costs the county will incur if the street name is changed. In making the estimate, the Department will take into consideration all costs the county will incur, including, but not limited to: the cost of street signs, the number of street signs required to be replaced, the labor and transportation costs for replacing the street signs, the cost of required legal advertisements, and the cost of notifying all affected parcel owners on the roadway affected by the proposed change to the street name.

(4) If the proposal to change a street name is made by written petition, the Department shall collect from the petitioner(s) the entire estimated costs of changing the street name as established by the Department in subsection (3) above. If the County Commissioners determine not to change the street name as requested by the petition, then all of the estimated costs not expended for advertising and notification of property owners shall be refunded to the petitioner(s).

(5) Upon receipt of an eligible proposal to change a street name, the county manager shall submit the proposal to the County Commissioners, who shall hold a public hearing regarding the change to the street name. At least ten (10) days before the day of the hearing, the County Commissioners shall publish a notice of such hearing in a newspaper of general circulation in the county. After the public hearing, if the County Commissioners approve the change to the street name, the street name for the roadway shall be changed and written notice sent by first class U.S. mail to each owner of any parcel located upon the roadway.

Sec. 3-119. Street Signs.

(a) The developers of new subdivisions, mobile home parks, industrial parks and other similar developments shall erect the appropriate street signs in accordance with guidelines set by the county. Upon written request by the developer or owner, the county will authorize the developer to erect approved street signs, provided that the placement and content of the street sign(s) meet all current county sign specifications.

(b) The developer, owner, or operator of existing subdivisions, mobile home parks, industrial parks or other similar developments shall erect appropriate street signs in accordance with the same

guidelines as stated in subsection (a) of this section. street signs will be erected no later than thirty (30) days of any written notice of approval by the Department.

Sec. 3-120. Address Numbers.

- (a) The County Commissioners hereby authorize the Department to develop procedures for the assignment of address numbers within the jurisdiction of this ordinance. All procedures, policies, regulations and amendments hereto shall be approved by the County Commissioners or their designee.
- (b) This article requires that the owner of any residence, industry, business or other structure post the assigned address numbers for each addressed structure for the health, safety and general welfare of the citizens of the county. The posting of address numbers shall conform to the following standards:
 - (1) The height of the address number shall be in accordance with the requirements of the North Carolina State Building Code. House number(s) should be placed either in the approximate center of the building or on the street end of the building near the main entrance so that it may be viewed from either the roadway or parking area which serves the building. In case of mobile home parks, the address number for the mobile home park itself shall be six (6) inch or higher letters on sign or placard placed at or near the main entrance in the absence of a main structure.
 - (2) The address numbers, except in the case of a mobile home space, should be maintained within a reasonable perimeter of the front entrance way of the structure. Should this number not be visible due to landscaping or other obstructions, or if the setback is greater than seventy-five (75) feet from the center line of the roadway which fronts the structure, the address number should also be placed at or near the roadway which serves the structure.
 - (3) All address numbers should be of a contrasting color to the color scheme of the addressed structure so that it is clearly visible and should be maintained in a similar manner.
 - (4) Each mobile home space should be marked uniformly within the mobile home park with address numbers in accordance with the requirements of the North Carolina State Building Code at the entrance to the mobile home space, or in a conspicuous place in order to afford visibility of the number from the roadway which serves the mobile home space. Marking of a mobile home is permitted, provided that the numbers are visible from the roadway both day and meet minimum height requirements.
 - (5) Mobile home parks shall either: (a) have sequential address numbers for the mobile home spaces throughout the mobile home park; or (b) have named roadways within the mobile home park with a separate address number for each mobile home space. Each mobile home space will have a separate address number assigned. The Department may assign new address numbers for any mobile home space within a mobile home park with address numbers assigned prior to passage of this ordinance if the mobile home park has any expansion, major improvement or change in the existing mobile home park pursuant to Article VII, Division 3 of this chapter of the Code.
 - (6) The Department will have the right to authorize and approve alternate methods of displaying address numbers which meet the intent of this article when strict adherence to these standards cannot reasonably be met.
 - (7) Address numbers must be displayed in a manner that is considered enduring to the climate or weather. Damaged, peeling, missing or illegible address numbers must be replaced by the

owner of the addressed structure no later than thirty (30) days from the date of written notice from the Department.

Sec. 3-121. General provisions.

It shall be unlawful for any person(s) without the written consent of the Department to:

- (1) Designate the street name of any public road or private road , including but not limited to any roadway, without the written approval of the Department.
- (2) Erect any street sign on any public road or private road without the written approval of the Department.
- (3) Erect any street sign on any public road or private road that does not meet the current county sign specifications.
- (4) Remove, deface, damage or obstruct any Street Sign.
- (5) Assign or display an address number for any structure without the written approval of the Department.
- (6) Name a private road which duplicates or is substantially similar to the name of an existing Street Name within the boundary of any U.S. Postal ZIP code that includes any portion of Rutherford County.
- (7) Fail to post the assigned Address Number in accordance with this article.

Sec. 3-122. Enforcement.

- (a) The building inspector may withhold a building permit until an official address number has been assigned for any building or structure required to be an addressed structure.
- (b) The building inspector may withhold a certificate of occupancy under this Code of Ordinances until the address number assigned for any addressed structure is properly displayed.
- (c) Owners or occupants of buildings or other structures already constructed which do not comply with this article will meet these requirements within sixty (60) days from the date of written notice from the Department, after which time the owner or occupant shall be subject to enforcement action by civil or criminal penalty pursuant to G.S. 153A-123 and as set forth in Section 3-123.

Sec. 3-123. Penalty.

- (a) Any person violating the provisions of this article shall be guilty of a misdemeanor and shall be subject to a fine of not more than fifty dollars (\$50.00) as provided by G.S. 14-4. Each day shall constitute a separate violation and be punishable as a separate and distinct offense.
- (b) Any violation of this article may be subject to civil remedies as set forth as follows:
 - (1) Any person who does not comply with this article after receipt of written notice will be subject to civil penalty in the maximum amount of fifty dollars (\$50.00) for each violation pursuant to G.S. 153A-123.
 - (2) Each day shall constitute a separate violation and be punishable as a separate and distinct offense.
 - (3) Any notice required to be sent by this article shall be in writing and set forth the action necessary for the person(s) in violation to be in compliance with this article and delivered to the person(s) in violation by personal delivery or by first-class mail directed to the name and address of the owner of the property.
 - (4) Except as otherwise provided, all notices shall provide the person(s) in violation thirty (30) days to complete the any action necessary to be in compliance with this article
 - (5) The Department may enforce this article by any other civil remedies as set forth in G.S. 153A-123.

Secs. 3-124 – 3-130. Reserved.

Adopted this the 4th day of August, 2025.

Bryan A. King, Chairman

ATTEST:

Clerk, Board of Commissioners
