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## ARTICLE VI. ROAD STREET NAMEING, 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.

~~*E911 Department:* The official department of the county charged with the administration of this article, including its authorized agent or delegate.~~

~~*House Number:* Number assigned to any house, residence, dwelling, business, warehouse or other structure or property in a sequential manner.~~

*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.[RW1]

~~*Mailing and Property 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. The house number and roadway name shall serve as the property address.~~

~~*Mobile Home:* A residential dwelling unit designed for transportation after fabrication on its own wheels, which is built on a permanent chassis and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy. Travel trailers and campers shall not be considered mobile homes. 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[RW2]. 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: The land leased or rented, being or proposed to be used by mobile homes occupied for dwellings or sleeping purposes. 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.

Neighborhood Public Roads: All those portions of the public road system of the state which have not been taken over and placed under maintenance or which have been abandoned by the department of transportation, but which remain open and in general use as a necessary means of ingress and egress from the dwelling house of one (1) or more families, and all those roads that have been laid out, constructed or reconstructed with unemployment relief funds under the supervision of the department of human resources, and all other roads or streets whatsoever outside the boundaries of any incorporated city or town in the state which serve a public use and as a means of ingress or egress for one (1) or more families, regardless of whether the same have ever been a portion of any state or county system.

Official Name: The name of any roadway in the unincorporated area of the county as approved by the board of commissioners, planning commission, and/or the Rutherford County E911 Department.

Planning Commission: The Rutherford County Planning Commission.

Private sStreet and Mobile Home Park Road: Street Roadway which is not intended to become a public street and which shall be used for access to a particular site or group development to include any street, roadway or driveway which serves two or more and which has not been dedicated to the public use and which shall be used for access for more than one addressed structures[RW3].

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

Public Street: A 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.[RW4]

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 board of eCounty Commissioners or the Department as its 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. RoadStreet names.[RW5]**

- (a) The roadstreet names on file with the E911 dDepartment are hereby declared the official names of these roadways, unless changed by action of the county commissioners in accordance with this article. The E911 dDepartment is hereby authorized to act as a clearing house for all information regarding thestreet names and location of roadways in the county. They Department are to will determine the need to assign for roadstreet names and to approve all such assignments pursuant to this section and to such policy as the Department shall adopt[RW6]. The Department will determine the need for changes to street names and to recommend any such changes to the eCounty eCommissioners 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.<sup>[RW7]</sup>

- (b) The developer, owner, ~~or~~ operator, or legally establishing governing owners' association of existing subdivisions, mobile home parks, industrial parks and other similar developments shall submit a plat/map of the development or park to the ~~E911 d~~Department within thirty (30) days of written request. The plat/map shall include:
  - (1) Name and address of Ddevelopers, owners, ~~or operators name and address~~or governing association and its principal officers;
  - (2) The development, park or subdivisions ~~s~~ name and location;
  - (3) The location, name and width of each roadway; and
  - (4) Identification of each lot by number.
- (c) The ~~d~~Developer of each new subdivisions ~~s~~ shall submit a copy of the plat with proposed street names to the ~~E911 d~~Department, along with the preliminary plat submitted to the planning commission which 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.
- (d) The Developer, owner, ~~/or~~ operator of each new mobile home park~~(s)~~, industrial park~~s~~, and other similar developments shall submit a map to the ~~E911 d~~Department and shall include the following:
  - (1) ~~The Name and address of the Developer, o~~Owner, ~~/or/~~ operator ~~name and address~~;
  - (2) ~~The Name and location of the park/ or development name and location~~;
  - (3) Location, name and width of each roadway; and
  - (4) Identification of each lot by number.

This map shall be ~~made available~~submitted to the ~~E911 d~~Department for approval of all street names and assignment of any necessary address numbers at least thirty (30) days prior to applying for a building permit or mobile home permit.

- (e) ~~Road-Street~~ names will be ~~accepted from the property owners assigned~~ by the ~~E911 d~~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. 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. These names will be approved provided it conforms with the E911 department's official road names on file. If the road name is unacceptable, the E911 department will work with the property owners to name the road. If after thirty (30) days the property owners have not agreed on an acceptable name, the E911 department will name the road or drive. The name given by the E911 department will be the official name upon the same being duly approved by resolution of the County Commissioners.
- ~~(f) Private streets as defined in section 3-117 shall be named when the building pre-permit for the third residence utilizing the street for ingress and egress is applied for. The street name shall be agreed on by fifty-one (percent) of the land owners whose boundaries touch said street or driveway. The addressing department retains the right to refuse street names that do not conform with National Emergency Number Association (NENA) standards. A petition of agreement to the street name signed by land owners is to be presented to the addressing department when requesting the pre-permit form. If the street name proposed by the petition is accepted by the Department and adopted as the street name, the petitioners will pay Aa fee of one hundred dollars (\$100.00) in accordance with a fee schedule adopted by the County Commissioners for the cost of purchasing and erecting the such street signs as the Department determines necessary, which will be paid to the Addressing Department after acceptance of the street name. If the street name is not accepted by the Department, the Department and the petitioners may agree to a different street name. If a street~~

name is selected can not be agreed upon by the majority of land owners or they refuse to name the street or driveway, it will be named by the Rutherford County E911 Addressing Department without the agreement of the petitioners. In this case the cost of the any street sign is borne by the county.

- (f) Street names may be changed only in accordance with the provisions of this section and of N.C. Gen. Stat. §153A-239.1. The Department, the county manager or the County Commissioners may propose to change a street name for reasons of public safety or public convenience. Any 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. [RW8]

(1) Upon the receipt of an eligible proposal 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.

(2) If the proposal to change a street name is made by petition from private person or persons, the Department shall collect from the petitioner(s) the entire estimated costs of changing the Street Name as established by the Department in subsection (1) above. If the County Commissioners determines 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).

(3) 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. ~~Signage~~Street Signs.**

- (a) The developers of new subdivisions, mobile home parks, industrial parks and other similar developments shall erect the appropriate street ~~signage~~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 ~~signage~~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 ~~signage~~signs in accordance with the same guidelines as stated in subsection (a) of this section. ~~Signage~~street signs will be erected ~~within~~ no later than thirty (30) days of any written notice of approval by the Department.

### **Sec. 3-120. ~~House and premises numbering~~Address Numbers.**

- (a) The ~~board of County e~~Commissioners hereby authorize the ~~E911 d~~Department to develop procedures for the ~~numbering of structures in unincorporated areas of the county~~assignment of address numbers within the jurisdiction of this ordinance. All procedures, policies, regulations and amendments hereto shall be approved by the ~~board of County e~~Commissioners or their designee.
- (b) This article requires that the owner of any residence, industry, business or other structure post the assigned address numbers ~~on for each addressed structures~~ for the health, safety and general welfare of the citizens of the county. ~~In t~~The posting of house/building address numbers ~~on structures, uses~~shall conform to the following standards:

- (1) The height of the address number for the house, building, mobile home space, or unit will be a minimum of three (3) inches. The building number of an apartment, townhouse, mobile home park, condominium complex, or any other large structure will be a minimum of six (6) inches in height shall be in accordance with the requirements of the North Carolina State Building Code<sup>[RW9]</sup>. 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 ~~should be~~ placed at or near the main entrance in the absence of a main structure.
- (2) The ~~house or building address~~ numbers, except in the case of ~~a mobile home park lots/sites~~space, should be maintained within a ~~three-foot-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 assigned address number should also be placed at or near the ~~driveway~~roadway which serves the structure.
- (3) ~~Said house or building~~All address numbers should be of a contrasting color to the color scheme of the ~~house, building or mobile home addressed structure~~ so that it is clearly visible and should be maintained in a similar manner.
- (34) Each mobile home space should be marked uniformly within the mobile home park with address numbers three-inch or larger numbers in accordance with the requirements of the North Carolina State Building Code<sup>[RW10]</sup> at the ~~lot~~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 ~~night and~~ meet minimum height requirements ~~of three (3) inches in height~~.
- (4) ~~Said house or building numbers should be of a contrasting color to the color scheme of the house, building or mobile home so that it is clearly visible and should be maintained in a similar manner.~~
- (5) Mobile home ~~lots~~spaces 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 lotmobile home space will have a separate address number assigned. ~~The address number of each lot must be clearly displayed on the lot so as to be legible from the road rather than mounted on the mobile home unit.~~ 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.<sup>[RW11]</sup>
- (6) The ~~E911 d~~Department will have the right to authorize and approve alternate methods of displaying ~~house~~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 ~~statutes~~provisions.

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

- (1) Designate the street name of any public road, ~~neighborhood public road, private subdivision street or private mobile home park road in the unincorporated areas, including but not limited to any roadway, without the written approval of the Department.~~



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- (2) Erect any street sign on any public road, ~~neighborhood public road, private subdivision street or private mobile home park road in the unincorporated areas of the county~~ without the written approval of the ~~E911-d~~Department.
  - (3) Erect any street sign on any ~~roadway~~, public ~~road~~ or private ~~road~~, ~~in the unincorporated areas of the county~~ that does not meet the current county sign specifications.
  - (4) Remove, deface, damage or obstruct any ~~s~~Street ~~s~~Sign ~~in the jurisdiction of this article~~.
  - (5) ~~Number or a~~Assign or display an address number ~~to~~for any structure without the written approval of the ~~county~~Department.
  - (6) Name a private ~~street or~~ road which duplicates or is substantially similar to the name of an existing ~~street or road~~ Street Name within ~~the unincorporated areas of the county~~ 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 house address number has been assigned for any ~~lot~~ building or structure required to be an addressed structure. ~~The record plat of any subdivision must show the address for each lot created or recorded.~~
- (b) The building inspector may withhold a certificate of ~~completion~~ occupancy under this Code of Ordinances until ~~the road~~ address numbers assigned for any addressed structure ~~are~~ is properly displayed.
- (c) Owners or occupants of buildings or other structures already constructed which do not comply with ~~in~~ this article ~~will be notified and requested to will~~ meet these requirements within sixty (60) days from the date of ~~the notification~~ written notice from the Department. ~~A warning notice will be issued after sixty (60) days if the requirements have not been met. If the owner or occupant does not comply voluntarily with this article within thirty (30) days of delivery of a warning notice by registered mail or by hand delivery to the building in violation, , after which time the owner or occupant shall be subject to enforcement action by civil or criminal penalty pursuant to G.S. 153A-123 may be initiated and as set forth in Section 3-123.~~ [RW12]

### Sec. 3-123. Penalty. [RW13]

- (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) ~~or imprisonment not more than thirty (30) days~~, as provided by G.S. 14-4C. 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 ~~in G.S. 153A-123 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.

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- (4) Except as otherwise provided, all notice 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.**