

MCDOWELL COUNTY ADDRESSING ORDINANCE

Enactment

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

WHEREAS, in the opinion of the McDowell County Board of Commissioners, a uniform system for addressing is desired to promote the health, safety, and general welfare of the citizens of McDowell County and,

WHEREAS, The McDowell County Board of 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 THE COUNTY COMMISSIONERS OF MCDOWELL COUNTY, NORTH CAROLINA

Section 1. Authority

The provisions of this ordinance are adopted under authority granted by the NC GS 153A & NC GS 62A.

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 throughout 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 McDowell County. The municipal areas within McDowell County are included in this ordinance.

Section 4. Numbering System

On the property-numbering map, the NORTH/SOUTH base line is hereby designed as Highway 221 running from the McDowell County courthouse south to the Rutherford County line and running from the McDowell County courthouse north to the Avery County line. The EAST/WEST base line is hereby designated as Highway 70 running from the McDowell County courthouse east to the Burke County line and running from the McDowell County courthouse west to the Buncombe County line. Frontage Unit (standard interval) shall be assigned for every 5.28 feet of ground whether improved property or vacant lot

on every road/street within the entire geographical area of McDowell County. Even numbers must always be on the right side and odd on the left side of the road/street.

Section 5. Road Name Signs

Road name signs shall be assigned and installed for all roads, whether public or private, and at all intersections throughout the unincorporated areas of McDowell County, in accordance with G.S. 153A-240. Road name sign maintenance within municipalities will remain the responsibility of the municipality. Road name signs/numbering and their maintenance within Mobile Home Parks shall be the responsibility of the developer. (Re: Mobile Home Park Ordinance).

Section 6. Definitions

For the purpose of this ordinance the following terms shall be defined as specified . Unless specifically defined words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance the most reasonable application.

Base Line - Can be defined as those lines which divide the county into identifiable sectors and which follow prominent major thoroughfares. In each case, one base line runs EAST/WEST and the other one, NORTH/SOUTH. Base lines intersect at a reference point.

Reference Points - The beginning reference points for the McDowell County Addressing System is hereby designated as follows: Point # 1. Beginning at the McDowell County Courthouse situated at the Intersection of Main Street/East/West Court Street, Marion NC extending all directions to county line. Exception: The extension to terminate on U.S. Highway 70 West at its intersection with SR 1227 (Curtis Creek Road) and SR 1245 Greenlee Road. Point # 2 Beginning at the Arrowhead situated at the intersection of U.S. Highway 70 and its intersection with Catawba Avenue in the Town of Old Fort running outward in all directions. From the Arrowhead running in an Eastward direction the numbering system will conclude on Highway 70 with its intersection of SR 1227 (Curtis Creek Road) and SR 1245 Greenlee Road. **For addressing purposes Hwy 70 between the City of Marion and the Town of Old Fort will be referred to as Hwy 70 West. For addressing purposes Hwy 70 between the City of Marion and the Burke County Line will be referred to as Hwy 70 East.** The numbering system will be continuous from the intersection of Bat cave Rd. SR 1103/Old Fort/Sugar Hill Road. SR 1135 with its intersection with Sugar Hill Rd. SR 1001 and its intersection with Montford Cove Road SR 1001. The numbering sequence in the Little Switzerland area will interface with Mitchell County. The numbering sequence in the Highway 183 area will interface with Burke County. The numbering sequence in the Highway 64 area will interface with Burke and Rutherford County.

Frontage - A frontage unit is a standard interval in feet used to assign consecutive property numbers on a street or road. The standard front unit adopted for use throughout McDowell County is 5.28 feet.

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.

Private Road - Any road, which is not maintained by the NC Department of Transportation and/or municipality through the use of public funds.

Official Road Names - The road name list and the road name map on file with the McDowell County E911 Data Management System is hereby declared the official road names and map for McDowell County Roads, unless changed by action of the County Commissioners.

Road Address - The combination of numbers and road names assigned to a particular location by the McDowell County Addressing Coordinator, according to this ordinance, which identifies a particular location.

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 of structure on that lot.

Section 7. Addressing

- A. All roads/streets, both public and private having three or more addressable structures, shall be named, addressed and signed including mobile home parks. Mobile home park owners will pay the fees associated with same. (Re: Mobile Home Park Ordinance). Naming of private roads/streets will be in accordance with the McDowell County Road Naming Ordinance using three addressable structures. The road signs and their erection to be fee exempt for the duration of the addressing project. At the conclusion of the addressing project, normal road signs and their erection fees to be re-enacted. Petitions from property owners for naming both public and private roads/streets shall be submitted to the County Manager within ten (10) days of notification. Notifications shall stipulate the due date. Failure of property owners to submit road/street naming petitions within the due date period shall constitute the authority to the addressing coordinator to recommend a road/street name for said road/street.
- B. Initially, when each house or building has been assigned its respective address, the County Addressing Coordinator, in cooperation with the U.S. Postal Service shall notify owners or occupants, agents of the affected house or building, by letter advising of their new address. Once the addressing numbering system is in place anyone desiring an address or addressing information shall contact the County Addressing Coordinator.

- C. Subdivisions - For addressing purposes the roads in subdivisions to be named and exempt from the required (3) structures as stated in the county Road Naming Ordinance. Naming of roads/streets to be coordinated with the 911 Addressing Coordinator.

Section 8. Display of Address Numbers

- A. The official address number must be displayed on the front of a building or at the entrance to a building, which is most clearly visible from the street or road during both day and night. Mobile Home Parks shall have a permanent site number. (Re: Mobile Home Park Ordinance).
- B. If a building is more than 100 feet from any road, the address number shall be displayed at the end of the driveway or easement nearest the road, which provides access to the building.
- C. 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/street.
- D. Numbers indicating the address number of a commercial establishment shall be at least five (5) inches in height and shall be posted and maintained as to be legible from the road/street.
- E. Numbers for multiple dwelling units (apartment complexes) shall be identified by at least an eight (8) inch letter in height for each building and shall be placed on the front of the building facing the road/street or on the end of the building nearest the road/street. Individual apartments to have at least a three (3) inch number in height identifying the apartment. Lettering and numbering sequence will be left to right.
- F. Numerals shall be of contrasting colors.
- G. Mobile home parks to have one address number. Each mobile home lot shall have a permanent site number no smaller than three (3) inches in height, mounted or painted so that it is clearly visible from the road/street. The mobile home park owners is responsible for maintain site numbers. (Re: Mobile Home Park Ordinance).
- H. The address shall be placed on existing buildings within thirty (30) days from the date of the letter of notification.

Section 9. New Address Assignment

- A. The owner or occupant or person in charge of any house or building in need of an address shall apply through the County Addressing Coordinator Office.
- B. No building permit shall be issued by the county/city/town for any principal building until the owner or occupant has procured from the County

Addressing Coordinator the official address of the premises.

- C. 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 the requirements outlined in this Ordinance.

- D. No Certificate of completion as required by the McDowell County Mobile Home Park Ordinance for mobile home parks shall be issued until address numbers are properly displayed. (Re: Mobile Home Park Ordinance).

Section 10. Ordinance Administrator

- A. The E-911 Coordinator is hereby designated Administrator of this Ordinance and shall have authority to verify/assign addresses and to enforce the requirements of this ordinance.

- B. The Ordinance Administrator shall assign a record of all addresses for McDowell County including the City of Marion and Town of Old Fort.

- C. The Ordinance Administrator shall maintain a database of existing road names, so that duplication and sound alike road names are neither assigned nor approved.

Section 11. Amendments

Petitions for amendment of this ordinance may be filed with the E-911 Coordinator by any citizen or agency of the County.

Section 12. Commissioners Review

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

No amendment shall become effective unless it has been proposed by or shall have been reviewed by the 911 Advisory Committee. The 911 Advisory Committee shall have 45 days in which to review the proposed amendment and to make recommendations to the Commissioners.

Section 13. Variances and Exceptions

The County Commissioners may issue variances and exceptions from the 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 Commissioners may prescribe appropriate solutions, as it deems necessary to preserve the intent of this ordinance. In granting a variance of exception

to the ordinance the County Commissioners must determine the following:

- A. Special conditions and circumstances exist which are peculiar to the addressing involved and which are not applicable to other addresses.
- B. The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other citizens.

Section 14. 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 15. Enforcement

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

Section 16. Limitations 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, maintaining, or operation of the E-911 Addressing System.

Section 17. Separability

Should any section or provisions 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.

Adopted this the 12th day of April, 1999.

s/Larry Seagle
Chairman of the
Board of Commissioners
McDowell County, NC

s/Carrie Padgett
Clerk to the Board of
Commissioners
McDowell County, NC