

CHEROKEE COUNTY, NORTH CAROLINA E9-1-1 ADDRESSING ORDINANCE

Enactment

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

Preamble

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

WHEREAS, the Cherokee 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 CHEROKEE COUNTY, NORTH CAROLINA.

SECTION 10. Authority:

The provisions of this Ordinance are adopted under authority granted by the N.C.G.S. 153A 239.1

SECTION 20. Purpose and Intent:

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

SECTION 30. Jurisdiction:

The jurisdiction of the Ordinance includes the entire geographic area of Cherokee County. The municipal areas within Cherokee County are included in this ordinance as evidenced by a resolution from each town requesting to be included in this Ordinance.

SECTION 40. Numbering System & Address Assignment

1. Frontage Unit Standard Interval is the numbering system that is and will be used by Cherokee County to assign 9-1-1 addresses. Numbers shall be assigned in 5.28 feet intervals along centerline of public or private roads. Even numbers must always be on the right side and odd on the left side of the street/road. The numbers begin at the road intersection closest to the reference point.
2. Each residential, commercial, industrial, and institutional building/facility and each individual unit/tenant within any such structure shall be assigned a unique address.

Addresses shall be assigned by the 9-1-1 Addressing Administrator or qualified representative.

3. The location of the driveway or access to the property needs to be determined before the address can be assigned. The primary entrance to the property will be used to determine the address.
4. For Multi-Dwelling Buildings the address number shall reflect the location of the primary access or drive way used by each unit. If more than one unit uses the same access or driveway a unique unit, suite or apartment number suffix shall form the address (i.e. 208 Hayes Rd, Apt 11)
5. Commercial, Office and Industrial Complexes will be treated the same as Multi-Dwelling Buildings. (i.e. 3090 W US 64, Suite 104)

SECTION 50. Road Name Signs:

1. Assignment, Installation and Maintenance of 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 Cherokee County, in accordance with N.C.G.S. 153A 239.1 Road name sign maintenance within municipalities will remain the responsibility of the municipality. Road name sign maintenance within the unincorporated areas of Cherokee County, including sub developments, will be the responsibility of Cherokee County.

2. Ownership of Road Name Signs:

All road name signs, posts and hardware installed pursuant to the Ordinance is and shall remain the sole property of Cherokee County regardless of where said signs, posts or hardware may be installed.

SECTION 60. Definitions:

1. 9-1-1 Addressing Administrator:

The official of Cherokee County charged with the administration of this ordinance.

2. Reference Point:

The reference point for Cherokee County is hereby designated at the point of the intersection of Tennessee Street, Hiwassee Street, Valley River Ave, and Peachtree Street in Murphy, NC.

3. Building:

As defined in NC State Residential Building Code is any one and two-family dwelling or portion thereof, including townhouses, that is used or designed or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any

combination thereof, and shall include accessory structures thereto. Also as defined in NC State Commercial Building Code is any structure used or intended for supporting or sheltering any use or occupancy.

4. Public Road:

Any road, street, highway, thoroughfare, or other way of passage that has been irrevocably dedicated to the public or in which the public has acquired rights by prescription, without regard to whether it is open for travel.

5. Private Road:

Any road, which is not maintained by the N.C.D.O.T. and/or municipality through the use of public funds. And which serves 3 or more buildings.

6. Official Road Names:

The road list name and the road map name on file with the Cherokee County 9-1-1 Addressing Administrator is hereby declared the official road names and map for Cherokee County Roads, unless changed by action of the County Commissioners.

7. 9-1-1 Address:

The combination of numbers and road names assigned to a particular location by the Cherokee County 9-1-1 Addressing Administrator, according to this Ordinance, which uniquely identifies a particular location. Otherwise known as a physical address.

8. Driveway:

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 & serving not more than two buildings.

9. Multiple Dwelling Unit:

A building used or capable of being used for residential purposes wherein more than two separate and distinct places of habitation exist.

10. N.C.D.O.T:

North Carolina Department of Transportation.

11. USPS:

United States Postal Service.

SECTION 70. New Road Names:

1. No new public or private roads shall be named without review and recommendation of the 9-1-1 Addressing Administrator.
2. No new road can be named unless it serves 3 or more buildings; the only exception being subdivisions. New Subdivision roads cannot be named unless they serve 3 or more lots. If the road does not serve at least 3 buildings or lots it will be considered a driveway and will be addressed off the public or private road from which it intersects.
3. Request for new road names must include a completed petition signed by more than 50% of the land owners adjacent to the road. That petition is available from the Cherokee County Code Enforcement Office at 59 Hiwassee St in Murphy NC.
4. The name of any new road, whether it is public or private, shall not duplicate or be phonetically similar to any other road name in Cherokee County, either public roads or private roads. A unique name must be chosen regardless of whether or not the street suffix is different (Dogwood Ln and Dogwood Dr are considered to be duplicates, however Dogwood Ridge Dr, Dogwood Dr and Dogwood Branch Dr are not considered duplicates). Only official USPS standard street suffixes are allowed.
5. Only letters are allowed in road names. Special characters such as hyphens, apostrophes, periods and decimals are not allowed. Numbers are not allowed as part of a road name. Road names that are numbers as a word (First St, Third Ave) are not allowed unless they have historical significance.
6. New subdivision roads, whether public or private shall be named before lots are sold or buildings are erected. New building permits cannot be obtained until a 9-1-1 Address is assigned for the building. A 9-1-1 Address cannot be assigned to a building until the road, whether public or private, is named. If the roads are not named before the lots are sold or buildings are erected the Cherokee County 9-1-1 Addressing Administrator will make an attempt to contact the landowners adjacent to the road. Those landowners will be given the opportunity to name the road meeting all other requirements of this ordinance. If the landowners cannot name the road in two weeks after contact is made, the Cherokee County 9-1-1 Addressing Administrator and/or the Cherokee County Board of Commissioners will name the road so that the building permit process can continue.

SECTION 80. Renaming Roads

1. Property owners who want to have the name of a public or private road changed must submit a petition to the Cherokee County 9-1-1 Addressing Administrator for verification. The petition can be obtained at the Cherokee County Code Enforcement office at 59 Hiwassee St, Murphy NC.
2. A \$25.00 fee shall accompany any petition requesting that an existing road name be changed.
3. The petition should be completed and signed by at least 75% of those persons owning property adjacent to the road.

4. The 9-1-1 Addressing Administrator shall request a public hearing date set by the Cherokee County Board of Commissioners and cause the same to be advertised pursuant to G.S. 153a-239.1
5. In the event the 9-1-1 Addressing Administrator and the Cherokee County Board of Commissioners approve the request, the petitioners shall be required to pay Cherokee County for the cost of materials for erecting new street signs plus a \$50.00 installation fee.
6. In renaming a public road, the county may not change the name given to a road by the NCDOT, unless NCDOT agrees to the name change. The county will not change the name given to a road in the towns of Murphy or Andrews unless the respective town approves the name change.

SECTION 90. Display of Address Numbers:

1. The official address number must be displayed on the front of the building or at the entrance to a building, which is most clearly visible from the street or road during both day and night.
2. 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.
3. Numerals indicating the address number of a building shall be at least four (4) inches in height and shall be posted and maintained so as to be legible from the road that accesses the building.
4. Numerals must be of contrasting color to the background.

SECTION 100. New Address Assignment:

1. The owner or occupant or person in charge of any house, travel trailer, or building in need of an address in Cherokee County will receive the new address from the Cherokee County Code Enforcement Office either by phone or in person.
2. The application for a 9-1-1 Address shall be obtained at such time that the owner, builder, or Mobile Home Company applies for a permit from the Cherokee County Code Enforcement Office. The location of the drive must be known in order for the address to be assigned. Usually the property can be addressed immediately from the Code Enforcement Office, sometimes a trip to the property itself is required to assign the address.
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 the requirements outlined in this Ordinance. This will be strictly enforced.
4. No Certificate for mobile homes shall be issued until address numbers are properly displayed. This will be strictly enforced.

SECTION 110. Ordinance Administrator:

1. The Addressing 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 Cherokee County.
3. The Ordinance Administrator shall maintain a database of existing road names, such that duplication and sound-alike road names are neither assigned nor approved.

SECTION 120. Amendments:

Petitions for amendment of this Ordinance may be filed with the County Manager and 911 Addressing Administrator by any Citizen of the county, and county department or agency.

SECTION 130. Commissioners 'Review:

The County Commissioners according to the following procedure may amend the provisions and requirements of this Ordinance:

No amendment shall become effective unless it has been approved by the Cherokee County Board of Commissioners. The Cherokee County 9-1-1 Addressing Administrator shall have 45 days in which to review the proposed amendment and to make recommendations to the Commissioners.

SECTION 140. Variances and Exceptions:

The County Commissioners 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 Commissioners may prescribe appropriate solutions, as it deems necessary to preserve the intent of this Ordinance. In granting a variance or exception to this Ordinance the County Commissioners 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 150. Appeals:

The provisions of this Ordinance shall be held to a minimum requirement 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, federal regulations, the most restrictive or that imposing the highest standard shall govern.

SECTION 160. Enforcement:

After the effective date of this Ordinance, any person, firm or agent thereof that 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 170. Limitation of Liability:

The County, directors, officers and agents, are not liable for any damages in civil action for injuries, death, or loss to persons or property incurred by any person as a result of any or omission of any of its employees, directors, officer, or agents, except for willful or wanton misconduct, in connection with developing, adoption, implementing, maintaining, or operating any 9-1-1 system.

SECTION 180. 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.

This Ordinance shall become effective and be in full force, from and after the 4th day of April, 2016. Adopted by the Cherokee County Board of County Commissioners this the 4th day of April, 2016.



C. B. McKinnon, Chairman
Cherokee County Board of Commissioners



Maria Hass, Clerk to the Board

Amended Ordinance 4/4/2016