

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

Enactment

This Ordinance establishes a uniform system for E9-1-1 addressing, and for the enforcement there of.

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 buildings within 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 not included within the municipal jurisdictions of the Towns of Andrews and Murphy. The municipal areas within Cherokee County shall be included in this ordinance if evidenced by a resolution from each respective municipality requesting to be included.

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 ~~for every~~ in 5.28 feet intervals along centerline of public or private roads. Even numbers must always be on the right side and odd numbers 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 and each individual unit within any such structure shall be assigned a unique address. Addresses shall be assigned by the 9-1-1 Addressing Administrator or his/her designee.
3. The location of the driveway or access to the property shall be identified prior to an address being 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 subdivisions, 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 Cherokee County official 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:

Defined in the N.C. State Residential Building Code as 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, defined in the N.C. State Commercial Building Code as 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.

6. Official Road Names:

The road name list and the road name map on file in the office of the Cherokee County 9-1-1 Addressing Administrator is hereby declared the official road name list and official road name map for Cherokee County roads, unless amended by official action of the Board of 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. Subdivision:

The development and division of a lot, tract or parcel of land into two or more lots, plats, sites, or otherwise for the purpose of establishing or creating a subdivision through sale, lease, or building development.

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. Any landowner or landowners can petition to name an unnamed road, regardless of the number of landowners served by the road. The Cherokee County 9-1-1 Addressing Administrator shall cause a road to be named when the second lot is recorded or when the permit for the second house is obtained.
3. Request for new road names must include a completed petition signed by more than 50% of the land owners served by the road. The petition is available from the Cherokee County 9-1-1 Addressing Administrator.
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. 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 building permits cannot be obtained until a 9-1-1 address (either official or unofficial) is assigned by the 9-1-1 Addressing Administrator. Certificates of Occupancy (COs) will not be issued until an official 9-1-1 address has been assigned by the 9-1-1 Addressing Administrator. Pertaining to subdivision road, if the roads are not named before 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 via certified mail. Those landowners will then be given the opportunity to suggest a road name meeting all other requirements of this ordinance that will then be presented to the Cherokee County Board of Commissioners prior to the required public hearing pursuant to NCGS 153A-239.1(a). If the landowners cannot agree on a suggested name for the road that meets the criteria as set forth in this ordinance in two (2) weeks after contact is made by the 9-1-1 Addressing Administrator, the 9-1-1 Addressing Administrator shall review and recommend a road name to the Cherokee County Board of Commissioners who, after public hearing pursuant to NCGS 153A-239.1(a), shall name the road.

SECTION 70.1. Notice of Public Hearings

Notice of Public Hearings pursuant to this Ordinance shall be conducted in accordance with NCGS 153A-239.1(a).

SECTION 80. Renaming Roads

1. Cherokee County may not change the name given to a road by NCDOT, unless NCDOT agrees to the name change. The County will not change the name given to a road in the Towns of Andrews or Murphy unless the respective town approves the name change. The Cherokee County Board of Commissioners may change a road name at anytime after a public hearing is held on the matter, pursuant to NCGS 153A-239.1(a).

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 9-1-1 Addressing Administrator, 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 shall be identified, prior to the address being assigned. Usually the property can be addressed immediately by the 9-1-1 Addressing Administrator. 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 9-1-1 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 9-1-1 Addressing Administrator shall assign and maintain a record of all addresses for Cherokee County.
3. The 9-1-1 Addressing 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 to amend this Ordinance may be filed with the County Manager by any Cherokee County property owner, or any 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 reviewed by the Cherokee County 9-1-1 Addressing Administrator. The Cherokee County 9-1-1 Addressing Administrator shall have 45 days in which to review the proposed amendment and make recommendation to the Board of Commissioners. The Board of Commissioners may then act on the recommendation.

SECTION 140. Appeals:

The provisions of this Ordinance shall be held to minimum requirements adopted for the promotion of 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 150. 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 allowed by law may be imposed. Each day's continuing violation is a separate and distinct offense.

SECTION 160. Limitation of Liability:

Cherokee County and its 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 omission of any of its employees, directors, officers, or agents, except for willful or wanton misconduct, in connection with developing, adoption, implementing, maintaining, or operating any 9-1-1 system.

SECTION 170. 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.

Adopted by the Cherokee County Board of County Commissioners this the 19th day of October, 2020.

Roy Dickey

Roy Dickey, Chairman Cherokee County Board of Commissioners

Maria Hass

Maria Hass, Clerk to the Board

