

TUCKER COUNTY
COMMISSION

TUCKER COUNTY WEST VIRGINIA

E9-1-1 ADDRESSING AND MAPPING ORDINANCE

AN ORDINANCE TO PROVIDE ASSIGNMENT OF NAMES TO STREETS AND
ROADWAYS AND IMPLEMENTATION AND MAINTENANCE OF THE MAPPING
AND POSTING OF STREET SIGNS AND BUILDING NUMBERS IN TUCKER
COUNTY, WEST VIRGINIA

In order to uniformly assign and maintain street addresses and provide for easy identification of those numbers for various purposes and to promote the health, safety and welfare of the citizens of the County of Tucker, Tucker County enacts its 9-1-1 Addressing and Mapping Ordinance as follows:

WHEREAS, pursuant to W.V. Code § 7-1-3ii, § 24-6-5, and § 24-6-6, § 7-1-3 and § 7-1-3cc, and consistent with W. Va. Code Article §24E-1-1 et seq., the Tucker County Commission has the authority to provide for the elimination of hazards to public health and safety; to establish and regulate the naming or renaming of roads, ways, streets, avenues, drives and the like, in cooperation with local postal authorities, the division of highways and the directors of County emergency communications centers; and to assure uniform, non-duplicative conversion of all rural routes to city-type addressing on a permanent basis; may cooperate with other governmental units, shall maintain and update the addressing and mapping framework within their jurisdictions, and,

WHEREAS, the establishment of an Enhanced 9-1-1 Emergency Telephone System in Tucker County has been approved and implemented by the Tucker County Commission; and,

WHEREAS, the establishment of such system requires the assignment of names to all streets and roads in Tucker County, the assignment of building numbers to all buildings having telephones and/or occupancies, the erection of appropriate street signs at intersections; and,

WHEREAS, the Tucker County Commission has the authority to delegate, contract or cooperate with other governmental units to complete all necessary components of this Ordinance, for final approval by the Tucker County Commission,

WHEREAS, the Tucker County Commission intends to elect to participate in the Statewide Addressing and Mapping Project, pursuant to Title 169, Series 2 of the Code of State Rules, thus promoting the goal of prompt and accurate dispatch of emergency services or 9-1-1 personnel in Tucker County, and thereby enhancing the safety of the lives and property of the citizens and residents of Tucker County.

NOW, THEREFORE, BE IT ORDAINED this 22nd day of July, 2009 by the County Commission of Tucker County, West Virginia, Ordinance Number 62503.

Section 1: APPLICABILITY

Section 1.1 The provisions of this Ordinance apply to all unincorporated areas of Tucker County. The municipal corporations in Tucker County have the option to adopt cooperative addressing ordinances or to adopt their own stand-alone addressing ordinances. If a municipal corporation in Tucker County does not act to adopt a cooperative or standalone ordinance within one hundred twenty (120) days of the date of the enactment of this Ordinance, this Ordinance will apply to areas within such municipal corporations until and unless the municipal corporation acts to adopt a standalone ordinance.

Section 1.2 Pursuant to the Emergency Rules of the West Virginia Statewide Addressing and Mapping Board on file with the office of the Secretary of State, Title 169, Series 2 of the Code of State Rules, Tucker County Commission hereby elects to participate in the West Virginia Statewide Addressing and Mapping Project.

Section 2: DEFINITIONS AS USED IN THIS ORDINANCE

Section 2.1 For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning that is provided in the National Emergency Number Association (NENA) Standard Guidelines as referenced by the United States Postal Service, unless the context clearly indicates otherwise.

Section 2.2 "Address number" means the number assigned to consecutive intervals along a street or road pursuant to the Number Assignment Formula contained herein.

Section 2.3 "Road" or "Street" means any public or private thoroughfare, used for vehicular traffic and/or any easement or right-of-way that provides sole access to more than two parcels or lots. This term shall be defined as the "Street Suffix" and shall include, but is not limited to; avenue, drive, way, boulevard, highway, lane, pike or similar street types.

Section 2.4 "Number Assignment Formula" means as follows: Beginning from the point of origin a house number shall be assigned for each interval, with each interval on the right side of the roadway as one leaves the point of origin being assigned an even number, and each interval on the left side as one leaves the point of origin being assigned an odd number. Left and right shall be determined from the perspective of a traveler moving away from the road point of origin in a forward motion.

Section 2.5 "Interval" means the distance along a roadway of 5.28 feet, there being 1000 intervals per mile on both sides of a road.

services purposes, but usable as a base for other purposes, in accordance with and consistent with Chapter 24E, Article 1 of the West Virginia Code.

Section 2.15

"West Virginia Statewide Addressing and Mapping System" or "the System" means the system to be created as a result of the Project, in which Tucker County Commission is participating, including, without limitation, the establishment of city-type addressing and mapping systems essential to the prompt and accurate dispatch of emergency service providers. The terms "Statewide Addressing and Mapping System" and "the System" also include any local modifications that may be made to the System in order to tailor it to meet specialized local concerns.

Section 3: APPOINTMENT AND DUTIES OF ADDRESSING AND MAPPING COORDINATORS

Section 3.1

Tucker County has appointed an Addressing Coordinator. In addition to the duties set forth elsewhere in this Ordinance, the Tucker County Addressing Coordinator has the following duties:

Section 3.1.1

The Tucker County Addressing Coordinator shall recommend names, for approval by the Tucker County Commission, to any public or private road or street in Tucker County, which provides access to two or more occupied buildings.

Section 3.1.2

The Tucker County Addressing Coordinator shall negotiate with residents along streets or roads bearing duplicate or confusingly similar names in Tucker County and to recommend name changes of such roads or streets to eliminate such duplication or confusing similarity.

Section 3.1.3

The Tucker County Addressing Coordinator shall direct the placement of street signs at intersections within Tucker County. The initial costs of such signs and installation will be funded by the Tucker County Commission for all unincorporated areas of Tucker County.

Section 3.1.4

The Tucker County Addressing Coordinator shall recommend a "Tucker County Road Name Index" for adoption by the Tucker County Commission and filing in the Office of the Tucker County Clerk. This Index is to be the official listing of names for streets and roads in Tucker County and such streets and roads are hereby assigned the names listed therein. As used in the Ordinance, the terms "street" and "road" shall have the same meaning and shall also include but not limited to avenues, boulevards, highways, lanes, ways, and similar street types.

Section 3.1.5

The Tucker County Addressing Coordinator shall cooperate with the West Virginia Statewide Mapping and Addressing Board, the Board's Project Manager, the Tucker County 9-1-1 Director, the West Virginia Enhanced 9-1-1 Council, the Tucker County's Assessor's office, municipal corporations within Tucker County, the United States Postal Service and other interested agencies and persons in order to accomplish, within Tucker County, city-type addressing and other systems essential to the prompt and accurate dispatch of emergency service providers or other emergency services or 9-1-1 purposes, and for such other goals of the West Virginia Statewide Addressing and Mapping Project. The Tucker County Addressing Coordinator may not, however, take any official action not expressly authorized in this Ordinance or otherwise by the Tucker County Commission.

Section 3.1.6

In applying this Ordinance and the guidelines in the West Virginia 9-1-1 Addressing Handbook, the Tucker County Addressing Coordinator shall have the authority, in cooperation with the above agencies, to interpret this Ordinance to ensure a logical and efficient numbering and street addressing system.

Section 3.2

Tucker County has appointed a Mapping Coordinator. The Tucker County Mapping Coordinator shall cooperate with the West Virginia Statewide Mapping and Addressing Board, the Board's Project Manager, the Tucker County 9-1-1 Director, the West Virginia Enhanced 9-1-1 Council, the Tucker County's Assessor's office, municipal corporations within Tucker County and other interested agencies and persons in order to accomplish, within Tucker County, digital mapping and other systems essential to the prompt and accurate dispatch of emergency service providers or other emergency services or 9-1-1 purposes, and for such other goals of the West Virginia Statewide Addressing and Mapping Project. The Tucker County Mapping Coordinator may not, however, take any official action not expressly authorized in this Ordinance or otherwise by the Tucker County Commission.

Section 4: STRUCTURE AND LOCATION NUMBERING AND DISPLAY

Section 4.1

Whenever any house, building, or structure is erected or located after the initial establishment of the uniform numbering system as provided herein, it shall be the duty of the property owners to procure the correct number or numbers for the property and to affix these numbers to the building in accordance to this Ordinance. The owner shall place or cause to be placed upon each house or building controlled by him the number or numbers assigned under the uniform number system within thirty (30) days of notification of the assigned address. The cost of posting the address shall be the responsibility of the property owner.

Section 4.2

The owner shall file an application for an address assignment with the Tucker County Addressing Coordinator or such other duly authorized agent of the Tucker County Commission. No address may be assigned until the footer or other foundation of the structure is in place; and a copy of a Development Permit from the Tucker County Assessors Office, or authorized agent thereof, has been submitted. The address must be issued not later than sixty (60) days following identification of address and installed on the structure prior to final inspection.

Section 4.3

Display of Number – Residential Structure – Each primary structure must display the number of the address assigned to that address. The street number for residences shall be in accordance with The BOCA National Property Maintenance Code, Section PM-303.3, Exterior Structure, Premises Identification. The numbers shall be in Arabic numerals at least four (4) inches in height, and of a durable and clearly visible material. The numbers shall be placed on, above, or at the side of the main entrance so the number is clearly visible from the public right-of-way. Whenever a residence entrance is greater than fifty (50) feet from a public right of way, or not clearly visible from the public right-of-way, a number shall also be placed at the end of a driveway, or property entrance. Address numbers are to be a contrasting color to the background on which they are mounted.

Section 4.5

The owner or person in charge of any house, building, mobile home, or other structure to which a number has been assigned shall affix the number as outlined in this Ordinance within thirty (30) days after the receipt or notification of such number.

Section 4.6

Display of Number – Commercial and Industrial Structure – Address numbers for commercial and industrial structures must follow BOCA PM 303.3 code regulations of at least six (6) inches in height. The number must be placed above or on the main entrance to the structure when possible. If such number is not clearly visible from the public right-of-way, the number must be placed along a driveway or on a sign visible from the same. Address numbers are to be a contrasting color to the background on which they are mounted.

Section 4.7

Display of Number – Apartments and Similar – The address number assigned to a single building number shall be displayed on each assigned structure following the BOCA PM 303.3 code. Numbers and/or letters for individual apartments or units within these complexes must be displayed on, above, or to the side of the main doorway of each apartment or unit. It shall be the responsibility of the property owner to affix apartment or unit numbers.

Section 4.7.1

Display of Number – Trailer Park and Similar – The address number assigned to a trailer within an organized trailer park must be one address number for the trailer park with each trailer assigned a lot or space number. The lot or space number must be posted and permanently affixed to the lot identifying the lot

or space number. The main address to the trailer park must be posted at the entrance of the park. Address numbers are to be a contrasting color to the background on which they are mounted.

Section 4.8 The combination of such an address number and the road or street name must be the official address of such primary structure.

Section 4.9 All costs to individuals or households in complying with this section of the Ordinance must be borne by that individual or household.

Section 5: ROAD NAMING

Section 5.1 The "Tucker County Road Name Index" is to be the official listing of names for streets and roads in Tucker County.

Section 5.2 No street within Tucker County may be assigned a name on a subdivision plat or otherwise until such name is registered with the Tucker County Commission, approved, and added to the Tucker County Road Name Index. The Tucker County Commission, or the duly authorized agent, shall have the authority to refuse registration of any name already in use, confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed inappropriate by the Tucker County Commission.

Section 5.3 No street name currently shown on a subdivision plat filed with Tucker County or otherwise shall be implemented by a subdivision owner until such name has been registered, approved and added to the Tucker County Road Name Index. The Tucker County Addressing Coordinator shall have the authority to refuse registration of any name already in use, confusingly similar to a name already registered, deemed confusing for purposes of emergency response, or deemed inappropriate by the Tucker County Commission.

Section 5.4 Road names may not duplicate road names already assigned, irrespective of road name prefixes or suffixes except for roads located within different corporations. The four cardinal points of the compass may be used as a prefix or suffix to designate portions of a continuous street.

Section 5.5 A street name may not be differentiated using the same name by changing the street suffix such as a street or avenue.

Section 5.6 A street may have only one name throughout its entire length unless approved as an exception by the Tucker County Commission.

Section 5.7 Following the completion of the address conversion portion of the Statewide Addressing and Mapping Project within Tucker County, there shall be a

moratorium on changes in road and street names in the unincorporated parts of Tucker County for a period of two (2) years. Thereafter, a petition requesting a change in name, signed by owners of eighty percent (80%) of the parcels on the street whose name is proposed to be changed, shall be filed with the Tucker County Clerk. Such petition should not be filed until the Tucker County Commission, or duly authorized agent, confirms the availability of the proposed name, but, not later than ninety (90) days following such confirmation.

Documentation such as a tax bill or deed, showing the ownership of each signatory to the petition must accompany the petition at the time of filing.

A non-refundable deposit of \$100.00 shall accompany the petition. Upon approval of the name change, the petitioner shall be obligated to pay to Tucker County for the actual costs incurred by the name change.

Residents along the affected road or street shall be responsible for advising the United States Postal Service of such road or street name change.

Section 6: STREET SIGNS

Section 6.1 All new street signs erected within Tucker County must be in conformance with the specifications of this section, unless the West Virginia Department of Transportation, Division of Highways or the Tucker County Commission grants a variance.

Section 6.2 The owner of any subdivision or other development shall erect or cause to be erected street signs in conformance with this Ordinance at any and all intersections within such subdivision or development upon construction of any street on or after the effective date of this Ordinance. Where any subdivision owner is currently required to erect street signs but has failed to do so, the erection of street signs shall be in conformance with this Ordinance. To ensure uniformity of street signs throughout Tucker County, signs placed after the passing of this ordinance shall be in conformance to the type, size, style, color, material, placement, and any other specifications mandated by the County Commission or its representatives.

Section 6.3 Sign Specifications – Private / Subdivision – All signs erected shall be in conformance to the United States Department of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices Millennium Edition (December 2000). The County Commission shall have final authority for the size, style, and color of the sign to be erected. All nameplates shall use aluminum sign blanks of .080 thickness, alloy to be 5052H38, degreased and etched, ready to accept pressure sensitive materials.

The sheeting shall be 3M brand High Intensity Scotchlite applied using either the 3M silk screening process or the 3M ElectroCut (EC) method or equal product.

The sign size for a road intersecting a state-maintained or private/subdivision road shall be six (6") inches high x 24", 30", 36", 42", or 48".

Upon passage of this ordinance the sign color (reflective sheeting) for private/subdivision roads shall consist of white lettering on a blue background.

Existing signs shall be approved by the Tucker County Commission or its authorized agent. Future or replacement signs within subdivisions shall be consistent with the existing signs.

The letter size and type shall conform to the FHWA "Standard Alphabets for Highway Signs", Series C, uppercase. Should the road name not fit on the longest sign length, the Series shall be reduced to a "B" width. Should the road name still not fit on the longest sign length, the text height shall be reduced by 1/2" increments until the road name fits. Abbreviations may be used as a suitable alternative however the addressing office shall have final inspection and approval on signs that require a reduced letter size or abbreviation. The normal spacing between words shall be the width of the letter "H" in the same series and height used in the street name.

For a road intersecting a state-maintained or private/subdivision road, the standard text height of the road name shall be four (4") inches.

Section 6.3.1

Sign Post Specifications – Supports to be standard depth in ground (normally 3'). Lateral clearance of 6' - 12' from edge of pavement should be strived for. Vertical clearance of 7' from edge of pavement to bottom of sign should be maintained.

Section 6.3.2

Sign Post Installation – On all private/subdivision roads, all street name signs shall be mounted with their faces parallel to the streets they identify. Only the sufficient amount of street name signs is needed to properly identify the roadway. The addressing office shall have the authority to identify and cause installation of the proper amount of signs at a given intersection as deemed necessary.

Street name signs shall be located to assist the motorist in locating the street name while not blocking the view of motorists exiting onto the street from which they are traveling.

The Miss Utility locating service shall be notified to mark all locations

where a street name sign is to be placed.

Section 6.4

Signage which is damaged or destroyed shall be the responsibility of the individual(s) causing such damage or destruction, whether by negligence or otherwise. The agency or individual(s) responsible for maintenance of the damaged sign shall have the authority to recover the costs of replacing the sign from the individual(s) causing such damage or destruction.

Section 6.5

Any such person found to be responsible for damage or destruction of any road or street sign shall pay to Tucker County all of the costs for such damage or destruction, including but not limited to, costs for sign removal and replacement. Failure to pay for damage or destruction may result in legal action against the responsible party for all costs, such as court costs and reasonable attorney fees.

Section 7: MAPPING

Section 7.1

All properties or parcels of land within Tucker County shall hereafter be identified by reference to a uniform numbering system, as shown on maps maintained in the Tucker County Addressing Office. The maps and explanatory matter thereon may be amended, modified, or changed at the direction of the Tucker County Addressing Coordinator, or his/her duly authorized agent, or by the County Commission.

Section 7.2

Tucker County Mapping Coordinator, as from time to time authorized by the Tucker County Commission, may delegate, contract or cooperate with individuals, companies, corporations, governmental organizations or subdivisions to coordinate, update and maintain the Tucker County base map.

Section 8: APPEALS, AMENDMENT, CONFLICT WITH OTHER LAWS, VALIDITY

Section 8.1

During the initial project stage and prior to the completion of the Statewide Addressing and Mapping Project within Tucker County, any requests concerning road name changes and/or addressing complaints will first be directed to the Tucker County Addressing Coordinator, or other duly authorized agent of the Tucker County Commission, within thirty (30) days from the time of road name or address assignment. If the initial contact does not satisfy the individual's concern, he or she may appeal the decision to the Tucker County Commission for final disposition provided, however, that all such appeals must be filed no later than 10 days after the decision. The Commission may, at its discretion, hear such appeals as oral argument or may

rule based upon the written appeal. All such appeals shall be decided on or before 30 days after the appeal is heard.

Section 8.2

After implementation of the address conversion system within Tucker County, any concerns, problems, or complaints regarding the naming and numbering system are to be handled on a case-by-case basis by the Tucker County Addressing or Mapping Coordinator, as the case may be, and if necessary, by the Tucker County Commission.

Section 8.3

Amendment - By legislative procedure, the Tucker County Commission may, from time to time, amend, supplement or change the provisions of this Ordinance.

Section 8.4

Conflict With Other Laws - Where the provisions of this Ordinance impose greater restrictions than those of any other ordinance or regulation, the provision of this Ordinance shall be controlling. Where the provision of any statute, other ordinance or regulation imposes greater restrictions than this Ordinance, the provisions of such statute, ordinance or regulations shall be controlling.

Section 8.5

Validity - If any article, section, subsection, paragraph, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decisions shall not affect the validity of this Ordinance as a whole or any other part thereof.

Section 9: PENALTIES AND ENFORCEMENT

Section 9.1

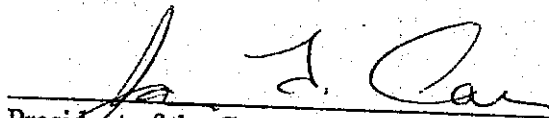
It is unlawful for any person to violate this Ordinance. When it appears that a violation of this Ordinance has occurred, the responsible party shall be notified by means of a written Violation Notice. The Violation Notice shall specify the nature of the violation and shall request that the violation be terminated within 30 days from the date appearing on the notice. After thirty (30) days of non-compliance from the time of written notification, the violation of any section of this Ordinance shall be deemed a misdemeanor punishable by a fine of not to exceed five hundred dollars (\$500.00). Each day a violation continues shall constitute a separate offense.

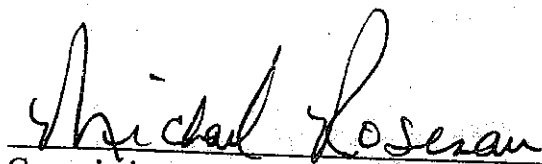
Section 10: ADOPTION AND SIGNATURES

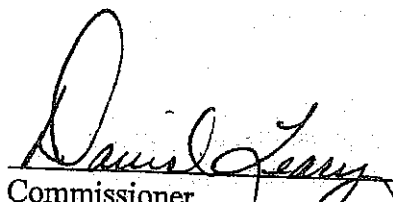
Section 10.1 This Ordinance is effective

Adopted this 22nd day of July, 2009.

TUCKER COUNTY COMMISSION


President of the Commission


Commissioner


Commissioner