

HAMPSHIRE COUNTY
COMMISSION

HAMPSHIRE COUNTY
WEST VIRGINIA

9-1-1 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
HAMPSHIRE 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 Hampshire, Hampshire County enacts its e9-1-1 Addressing and Mapping Ordinance as follows:

WHEREAS, pursuant to West Virginia Code, Articles 7-1-3 and 7-1-3cc, and consistent with West Virginia Code, Article 24E-1-1 et seq., the Hampshire 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 Hampshire 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;

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

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

WHEREAS, the Hampshire 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 Hampshire County Commission; and

WHEREAS, the Hampshire 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 Hampshire County, and thereby enhancing the safety of the lives and property of the citizens and residents of Hampshire County.

WHEREAS, the Hampshire County Commission believes the current ordinances were in need of combining, updating and amending.

WHEREAS, upon approval and passage of this ordinance by the Hampshire County Commission, all other ordinances pertaining to mapping, addressing and road naming for Hampshire County will be repealed.

NOW, THEREFORE, BE IT ORDAINED this _____ day of _____, 2011 by the County Commission of Hampshire County, West Virginia.

Section 1: APPLICABILITY

Section 1.1 The provisions of this Ordinance apply to all unincorporated areas of Hampshire County. The municipal corporations in Hampshire County have the option to adopt cooperative addressing ordinances or to adopt their own stand-alone addressing ordinances. **If a municipal corporation in Hampshire County does not act to adopt a cooperative or stand-alone 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 stand-alone 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, Hampshire 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, works 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 in accordance with 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 occupied 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.
- Section 2.6 “Point of Origin” means the end point of a road, which is the starting point for a numbering sequence. The point of origin for Hampshire County shall be Northwestern Pike at the county line with Frederick County, VA. The point of origin for an individual road may be adjusted, upon GIS Coordinator approval, to avoid numbering conflicts.
- Section 2.7 “Primary Structure” means, but is not limited to, residential building, mobile homes, mobile home parks, commercial building, industrial building, office building, public building, utility, communications tower.
- Section 2.8 “Display” means the manner the numbers are affixed to a structure or otherwise displayed when affixing to a structure.
- Section 2.9 “Non-Compliance” means any failure to comply with the provisions of this Ordinance including, but not limited to, by way of example: a number out of sequence, odd or even number on wrong side of street, rural box numbers in a 9-1-1 address area, numbers improperly affixed, numbers illegible, numbers unclear, numbers obstructed, numbers not visible, numbers not present, numbers of improper size, numbers not in contrast with immediate background, weathered numbers, wrong numbers, and non-approved numbers.
- Section 2.10 “Occupant” is any person, firm, entity, partnership, trust, corporation, association or other organization that is occupying

or leasing a building or other property for a period exceeding thirty (30) days.

- Section 2.11 “Owner” is any and all persons, firms, entities, partnerships, trusts, corporation, associations, or other organizations that own the fee title to, or have an undivided interest in, any building or property, which is subject to the provisions of this Ordinance.
- Section 2.12 “City-Type Address” means a unique address for a structure using a building number and street name. “City-Type Address” is based on an address system, which means that it usually appears in a consistent numeric sequence along a street and reflects parity conventions (that is, odd numbers all appear on one side of the street and even numbers on the other). If number assignment is based on a standard numbering interval, then the “City-Type Address” will also logically provide a distance location from the beginning point of the road.
- Section 2.13 “Emergency Services Purposes” means use for 9-1-1 or enhanced 9-1-1 dispatch and response.
- Section 2.14 “West Virginia Statewide Addressing and Mapping Project” means the project for the creation of a statewide addressing and mapping system for emergency service 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 Hampshire 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 GIS COORDINATOR

- Section 3.1 The Hampshire County GIS Coordinator is hereby appointed the Hampshire County Mapping and Addressing Coordinator. In addition to the duties set forth elsewhere in this Ordinance, the

Hampshire County Addressing Coordinator has the following duties:

- Section 3.1.1 The Hampshire County GIS Coordinator will recommend names, for approval to the Hampshire County Commission, to any public or private road or street in Hampshire County, which provides access to more than two occupied buildings or structures, located more than 1000 feet from an already assigned centerline.
- Section 3.1.2 The Hampshire County GIS Coordinator shall coordinate negotiations with residents along streets or roads bearing duplicate or confusingly similar names in Hampshire County and to recommend name changes of such roads or streets to eliminate such duplication or confusing similarity. The Hampshire County GIS Coordinator shall coordinate and be responsible for the placement of street signs at intersections within Hampshire County. The initial costs of such signs and installation will be funded by the Hampshire County Commission for all unincorporated areas of Hampshire County.
- Section 3.1.3 The Hampshire County GIS Coordinator shall establish and recommend a “Hampshire County Road Name Index” for adoption by the Hampshire County Commission and filing in the Office of the Hampshire County Clerk. The GIS Coordinator will also be responsible for annually updating and filing with the Road Name Index Hampshire County Clerk. This Index is to be the official listing of names for streets and roads in Hampshire 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 3.1.4 The Hampshire County GIS Coordinator shall coordinate with the West Virginia Statewide Mapping and Addressing Board, the Board’s Project Manager, the Hampshire County 911 Director, the West Virginia Enhanced 9-1-1 Council, the Hampshire County Assessor’s Office, municipal corporations within Hampshire County, the United States Postal Service, utility providers and other interested agencies and persons in order to accomplish, within Hampshire 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 Hampshire County GIS Coordinator may not take any official action pertaining to the addressing project that is not expressly authorized in this Ordinance or otherwise by the Hampshire County Commission.

Section 3.1.5 In applying this Ordinance and the guidelines in the West Virginia 9-1-1 Addressing Handbook, the Hampshire County GIS 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 4: INTERPRETATIONS AND APPLICATION

This Ordinance is to be interpreted and applied consistent with the West Virginia Statewide Addressing and Mapping System. The Hampshire County GIS Coordinator shall make any necessary application to the Board for a waiver or for local modifications of the system in order to tailor it to this Ordinance.

Section 5: STRUCTURE AND LOCATION NUMBERING AND DISPLAY

Section 5.1 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 properly display these numbers to the building in accordance to this Ordinance. For Public Safety reasons, Hampshire County highly recommends that the owner 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 5.2 The owner shall file an application for an address assignment with the Hampshire County GIS Coordinator or such other duly authorized agent of the Hampshire County Commission. No address may be assigned until the footer is in place and

properly inspected. 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 5.3 Display of Number – Residential Structure Recommendation– It is highly recommended for public safety concerns that each primary structure should 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 should be in Arabic numerals at least four (4) inches in height, and of a durable and clearly visible reflective material. The numbers should 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 should also be placed at the end of a driveway, or property entrance. Address numbers should be a contrasting color to the background on which they are mounted.

Section 5.4 Display of Number – Commercial and Industrial Structure – Address numbers for commercial and industrial structures, schools, recreational facilities, churches and businesses “**Shall**” 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. **No Grandfathering will be allowed on these type nonresidential structures.**

Section 5.5 Display of Number – Apartments, Rental Properties 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. Address numbers are to be a contrasting color to the background on which they are mounted. **No Grandfathering will be allowed on these type nonresidential structures.**

- Section 5.5.1 Display of Number – Trailer Park and Similar – The address number assigned to a trailer within an organized trailer park will be determined by the GIS coordinator, as this may vary upon address locations. The lot or space number must be posted and permanently affixed to the lot identifying the lot or space number. If the park is assigned a main address, 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. **No Grandfathering will be allowed on these type nonresidential structures.**
- Section 5.6 The combination of such an address number and the road or street name must be the official address of such primary structure.
- Section 5.7 All costs to owners or occupants in complying with this section of the Ordinance must be borne by that owners or occupants.
- Section 5.8 No person shall knowingly cause to be displayed an improper address to any primary structure within Hampshire County.

Section 6: ROAD NAMING

- Section 6.1 The “Hampshire County Road Name Index” is to be the official listing of names for streets and roads in Hampshire County.
- Section 6.2 No Street within Hampshire County may be assigned a name on a subdivision plat or otherwise until such name is registered with the Hampshire County GIS Coordinator, approved by Hampshire County Commission, and added to the Hampshire County Road Name Index. The Hampshire 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 Hampshire County Commission **or the duly authorized agent.**
- Section 6.3 No Street name currently shown on a subdivision plat filed with Hampshire County or otherwise shall be implemented by a subdivision owner until such name has been registered, approved and added to the Hampshire County Road Name Index. The Hampshire County GIS 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 Hampshire County Commission.

Section 6.4 Road names shall not duplicate road names already assigned, irrespective of road name prefixes or suffixes except for roads located within different corporations.

Section 6.5 A street name shall not be differentiated using the same name by changing the street suffix such as a street or avenue according to 108 JANUARY 2007 WVSAMB WEST VIRGINIA E9-1-1 ADDRESSING REFERENCE GUIDE – VERSION 1.1

Section 6.6 A Street may have only one name throughout its entire length unless approved as an exception by the Hampshire County Commission and if necessary the West Department of Highways (WVDOH).

Section 6.7 Following the anticipated October 2011 completion of the address conversion portion of the Statewide Addressing and Mapping Project within Hampshire County, there shall be an indefinite moratorium on changes in road and street names in all parts of Hampshire County.

Thereafter, a request for change of road or street naming may be made thru the GIS Coordinator to the Hampshire County Commission. Exceptions will be reviewed on a very limited case by case basis. Some circumstances that may allow the Commission to review a street or road name change exception may include but not limited to:

1. Historical name corrections
2. Duplicate sound alike or confusing names
3. Where the enforcement of the rules will result in extraordinary individual hardship, provided that the public interest is served
4. Roads that need added because of change in structure count
5. 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.
6. The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other citizens.

7. Special conditions and circumstances do not result from the actions of the applicant; and Granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other citizens.
8. Before recommending a road name change, the GIS Coordinator shall consider the official road name as recorded on plats and deeds of adjacent property and the most accurate historical name of the road in question. Disturbance to existing legal documents shall be of primary consideration in determining the single road name when two or more names are commonly used.

Section 6.8 A petition of 80% of the property owners on such road is required, demonstrating a majority agreement on the road. Signatures will be randomly verified. If one signature is discovered false, the application will be denied.

Section 6.9 A non-refundable deposit of \$300.00 shall accompany the petition. Upon approval of the name change, the petitioner shall be obligated to pay to the GIS office for the actual costs incurred by the name change. Fees shall be required to be paid by the applicant at the time the application is submitted. If the application is made to correct an error or omission of the GIS Office, no fee shall be required. Residents along the affected road or street shall be responsible for advising the Local United States Postal Service of such road or street name change. The Hampshire County GIS Coordinator may also provide notice of such change to the Local and Regional United States Postal Service as well as locally utilized utilities.

Section 7: STREET SIGNS

Section 7.1 All new street signs erected within Hampshire County must be in conformance with the specifications of this section, unless the West Virginia Department of Transportation, Division of Highways or the Hampshire County Commission grants a variance.

Section 7.2 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, including cross streets,

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 future erection of street signs shall be in conformance with this Ordinance. Subdivision developers will be required to pay a fee to update the Hampshire County Mapping Files with the newly constructed roads.

Section 7.3 Sign Specifications – All signs erected shall be in conformance, at minimum, to West Virginia Department of Transportation, Division of Highways specifications as defined in the “Standards for the Design and Installation of Road Name Signing” published March 1999.

Section 7.4 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 7.5 Any such person found to be responsible for damage, theft or destruction of any road or street sign shall pay to the Hampshire County Commission 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 7.6 The Hampshire County Commission will be assumed the owner of all road signs erected in conformance of this ordinance.

Section 8: MAPPING

Section 8.1 Hampshire County Commission hereby adopts the Statewide Addressing and Mapping System as the base map for Hampshire County.

Section 8.2 Emergency services or 9-1-1 dispatch within Hampshire County must utilize the Statewide Addressing and Mapping System when completed.

Section 8.3 The core layers of maps for Hampshire County may include, but need not necessarily be limited to, CADASTRAL, ELEVATION, GEODETIC CONTROL, GOVERNMENTAL UNITS, HYDROGRAPHY, ORTHOIMAGERY, TOPOGRAPHIC MAPS and TRANSPORTATION.

Section 8.4 The application layers of maps for Hampshire County may include, but need not be limited to, GEOLOGY, LAND COVER and SOILS.

Section 8.5 The Hampshire County GIS Coordinator shall propose a plan for the future maintenance of the maps for Hampshire County that are to be delivered by the West Virginia Statewide Addressing and Mapping Board to Hampshire County Commission pursuant to West Virginia Code, Article 24E-1-1, et seq. The Hampshire County Addressing Coordinator shall seek the advice of West Virginia Statewide Addressing and Mapping Board, the Hampshire County 9-1-1 Director, the West Virginia Enhanced 9-1-1 Council, the Hampshire County Assessor's Office, and other interested agencies and persons prior to proposing such a plan. The Hampshire County GIS Coordinator shall propose such plan no later than the date that the maps are ready for delivery.

Section 8.6 Hampshire County GIS Coordinator, as from time to time authorized by the Hampshire County Commission, may delegate, contract or cooperate with individuals, companies, corporations, governmental organizations or sub-divisions to coordinate, update and maintain the Hampshire County base map as well as other possible raster and vector datasets that would enhance both public safety and county resident usability.

Section 9: APPEALS, AMENDMENT, CONFLICT WITH OTHER LAWS, VALIDITY

Section 9.1 With an anticipated data submission date of October 2011 for the Statewide Addressing and Mapping Project within Hampshire County, all non-mandatory change requests concerning road name changes and/or addressing complaints will first be directed to the Hampshire County GIS Coordinator, or other duly authorized agent of the Hampshire 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 Hampshire County Commission for final disposition provided, however, that all such appeals must be filed in writing 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 9.2 After the October 2011 implementation of the Statewide Addressing and Mapping System within Hampshire County, any concerns, problems, or complaints regarding the naming and numbering system are to be handled on a case-by-case basis by the Hampshire County GIS Coordinator, as the case may be, and if necessary, by the Hampshire County Commission.

Section 9.3 Amendment - By lawful procedure, the Hampshire County Commission may, from time to time, amend, supplement or change the provisions of this Ordinance.

Section 9.4 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 9.5 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 10: PENALTIES AND ENFORCEMENT

Section 10.1 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 10.2 Whenever the Hampshire County Commission's duly authorized agent has reason to believe there has been or there exists a violation of this Ordinance, the Commission shall give written notice by way of the Hampshire County GIS Coordinator of such violation to the person failing to comply, and order the person to take corrective measures within thirty (30) days from date of notification. If such person(s) fail to comply with the duly issued order, the Hampshire County Commission or authorized agent shall initiate necessary actions to correct or terminate the violation through the Hampshire County Court.

Section 10.3 The Hampshire County Commission hereby authorizes the Hampshire County Sheriff's Office in cooperation with the Hampshire County GIS Coordinator to enforce the provisions of this ordinance.

Section 11: ADOPTION AND SIGNATURES

Section 11.1 This Ordinance is effective

Adopted this _____ day of _____ , _____ .

HAMPSHIRE COUNTY COMMISSION

President of the Commission

Commissioner

Commissioner

Approved October _____, 2011