

**Swain County, North Carolina  
Addressing and Road Naming  
Ordinance**

**Enactment**

The Ordinance establishes a uniform system for addressing, and road naming, and for the enforcement thereof.

**Preamble**

**WHEREAS**, in the opinion of the Swain 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 Swain County and

**WHEREAS**, the Swain County Board of Commissioners are desirous that this approach reflects 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 SWAIN COUNTY, NORTH CAROLINA.**

**SECTION 10. Authority**

The provisions of this Ordinance are adopted under authority granted by the NC GS 153A-239.1.

**SECTION 15. 911 Road Naming Board**

The 911 Road Naming Board will be appointed by the Swain County Board of Commissioners. It will consist of the following: one (1) County Commissioner, one (1) County Manager, two (2) representatives from emergency services, one (1) postal service employee. The 911 Coordinator will be an ex officio member. These appointments will be for a two (2) year term. The Board will be responsible for holding public hearings and approving road names submitted by the 911 coordinator. They will be responsible for enforcing this ordinance and resolving any road name problems that cannot be settled by the 911 Coordinator. All road names approved by this board cannot be changed for a period of two (2) years. After this time a petition may be submitted to the 911 Road Naming Board through the 911 Coordinator the change a road name.

**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 throughout the County's jurisdiction in order to facilitate adequate public safety and decrease emergency response time.

**SECTION 30. Jurisdiction**

The Jurisdiction of this Ordinance includes the entire unincorporated geographic area of Swain County.

**SECTION 40. Numbering System**

A Frontage Unit (standard interval in feet) shall be assigned for every 5.28 feet of ground whether improved property or vacant lot on every road/street within the geographical areas of the jurisdiction. Even numbers must always be on the right side and odd on the left side of the street/road.

**SECTION 50. Road Name Signs**

Road name signs shall be acquired and installed for unincorporated areas of Swain County. Road name sign maintenance within municipalities will remain the responsibility of the municipality. The acquisition and installation of road name signs for private developments will be the responsibility of the property owners on these roads.

**SECTION 60. Definitions**

For the purpose of this Ordinance the following terms shall be defined as specified below. Unless specifically defined, to give them the meaning they have in common usage and to give this Ordinance the most reasonable application.

1. Frontage Unit:

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

2. 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 and rear access roads.

3. Private Road:

Any road, which is not maintained the N.C. Department of Transportation and/or municipality through the use of public funds.

4. Official Road Name:

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

5. Road Address:

The combination of numbers and road names assigned to a particular location by the Swain County E911 Coordinator, according to this Ordinance, which uniquely identifies a particular location.

6. 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 or structure on that lot. A driveway may not serve more than a single lot unless it runs along a lot line shared by two lots and serves no more than two (2) lots.

7. Building:

A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, chattels, or equipment. When separated by division walls from the ground up without openings, each portion of such building shall be deemed a separate building. For the purposes of this Ordinance, the term "Building" may also include other manmade structures.

8. Address Program Administrator:

The official of Swain County charged with the administration of this Ordinance, including his authorized agent or delegate.

9. 911 Road Naming Board:

The 911 Road Naming Board is a five-member board established to name unnamed roads in Swain County and to resolve any requests for a road name that the 911 Coordinator may reject due to the use of duplication, or sound alike names. The Board will consist of one County Commissioner, one County Manager, two members of Emergency Services, one postal employee. The 911 Coordinator will be an ex officio member.

**SECTION 70. Naming or renaming a County Road**

1. Request for new names and name changes must include a completed petition signed by at least 51% of the property owners along the affected road.
2. A petition to change an existing road name must include a fee to cover all associated costs.
3. There is no fee for requesting names for unnamed public or private roads, however the procedure is the same as that stated in this section.
4. Petition applications may be obtained from the Swain County E911 Coordinator, P.O. Box 2321, Swain County, NC or by picking them up at the office located at 1422 Hwy 19 South, Bryson City, NC.
5. Petitions for road name change as well as petitions for naming unnamed roads shall be considered as needed, which determination of need is in the discretion of the E911 Coordinator.
6. The E911 Coordinator will review requests to determine if all procedures are met, and to ascertain that the proposed name does not duplicate an existing name or does not have a sound alike name and also to ensure that the petition meets all other requirements of this Ordinance.

**SECTION 80. Requirements for naming an un-named road**

1. To avoid duplication of road names, choose a unique name (Dogwood Lane and Dogwood Drive are considered to be duplicates.)
2. Avoid Confusion. Do not select names that sound similar to other road names or subdivision names.
3. Use short names. Short names are easier to understand when spoken and will save money when the County purchases road signs. Choose names with less than fifteen characters in total length including spaces, but not including suffixes.
4. Avoid Special Characters. Do not use hyphens, apostrophes, periods, decimals, or numbers.
5. The use North, South, East, or West is discouraged.
6. Every attempt should be made to not use proper names. There are many people with the same first or last names, and the use of proper names may create confusion when trying to locate a particular road.

7. Numbers as part of a name are prohibited.
8. Discriminatory names or suggestions are prohibited.
9. All existing road names which were in use before the effective date of this Ordinance will be "Grandfathered" into use.

**SECTION 90.            Suggestions for naming unnamed roads**

1. Select names that have historical or geographical significance, such as a name of a stream or mountain nearby.
2. Select names of birds, fish, animals, plants, trees, or flowers that are indigenous to Western North Carolina.
3. When selecting a road name, choose two (2) alternate names in case the primary name has already been selected or is already in use.

**SECTION 100.        New Road Names**

The Swain County E911 Coordinator is hereby authorized to prepare and present to the 911 Road Naming Board recommendations for the naming of all unnamed roads, both public and private, within the unincorporated area of Swain County and is authorized to propose new names to eliminate duplications and sound alike road names. The E911 Coordinator will present to the 911 Road Naming Board all petitions received requesting the change of the names of existing roads or to name a previously unnamed road.

**SECTION 110.        Addressing**

1. All roads, both public and private, shall be named and addressed if three or more addressable structures, including mobile homes, are located on and accessed by such roads.
2. When each house or building has been assigned its respective address, the County E911 Coordinator or designee shall notify the owners, occupants, or agents of the affected house or building, by letter advising of the new address.

**SECTION 120.        Display of Address Numbers**

1. The official address number shall be displayed on the front of a building or at the entrance to a building, which location 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 that provides access to the building.
3. Displayed numbers that indicate the address number of a single family dwelling shall be at least four (4) inches in height and shall be posted and maintained so as to be legible from the road.
4. Displayed numbers that indicate the address number of multiple dwelling units and non-residential buildings shall be at least six (6) inches in height and shall be placed on the front of the building facing the road or on the end of the building nearest the road.
5. Displayed numbers must be of contrasting color with the background on which they are attached. It is preferable that these numbers are reflective to ensure better visibility at night.
6. Mobile home lots shall have sequential address numbers throughout the park. Each lot will have a separate address number assigned. The address number of each lot must be clearly displayed on the lot by being attached to a post near the mobile home and must be clearly visible from the road.
7. The address shall be placed on existing buildings within three (3) years from the date of the adoption of this Ordinance.

#### **SECTION 130. New Address Assignment**

1. The owner or occupant or person in charge of any house, or building in need of an address in the unincorporated area of Swain County, shall apply through the County E911 Office.
2. No Certificate of Occupancy shall be issued for any principal building until the owner or occupant has procured from the Building Inspector, or E911 personnel the official address of the premises.
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 a proper address has been displayed in accordance with the requirements outlined in this Ordinance.
4. No Certificate of Completion will be issued for mobile home parks until address numbers are properly displayed for each lot within the park as required by this Ordinance. No Certificate of Occupancy for a new mobile home will be issued until a permanent and proper address has been displayed as required by this Ordinance.

5. The record plat of any subdivision must show the road names and address for each lot created or recorded.

#### **SECTION 140. Ordinance Administrator**

1. The E911 Coordinator 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 Swain County.
3. 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 150. Variances and Exceptions**

The 911 Road Naming Board 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 Road Naming Board may prescribe appropriate solutions, as it deems necessary to preserve the intent of this Ordinance. In granting a variance of exception to this Ordinance the 911 Road Naming Board 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 160.**

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 170. Enforcement**

After the effective date of this Ordinance, any person, firm or agent thereof who intentionally violates this Ordinance shall be guilty of a Class 3 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. Owners or occupants of existing buildings which do not comply with this Ordinance will be notified and requested to meet these requirements within 30 days from the date of the notification. A warning notice will be issued after 60 days if the requirements have not been met. If the owner or occupant does not comply voluntarily with this Ordinance within 30 days of delivery of a warning notice by mail or by hand delivery to the building in violation, enforcement action pursuant to G.S. S153A-123 may be initiated.

**SECTION 180. Limitation of Liability**

Swain County, its 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, adopting, implementing, maintaining or operating and 911 system including but not limited to the assignment road names and addressing.

**SECTION 190. Severability**

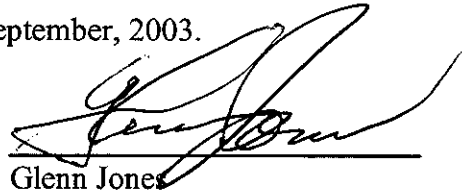
Should any section or provision of this Ordinance be declared by the courts to be invalid for any reason, such declaration shall not affect the Ordinance as a whole, or any part thereof other than that part so declared to be invalid.

**SECTION 200. Previous Ordinances Null and Void**

This Ordinance shall supersede and replace all Swain County Addressing and Road Naming Ordinances or portions there of previously adopted, or any actions previously taken before the appointment of the 911 Road Naming Board.

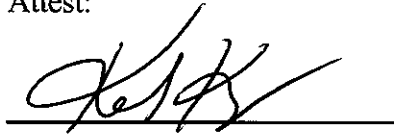


Adopted this the 9<sup>th</sup> day of September, 2003.



Glenn Jones  
Chairman  
Swain County Commissioners

Attest:



Kevin S. King  
Clerk to the Board  
Swain County Commissioners