
COUNTY COMMISSION OF UPSHUR COUNTY, WV

UPSHUR COUNTY
WEST VIRGINIA

9-1-1 ADDRESSING
AND MAPPING
ORDINANCE

AN ORDINANCE TO PROVIDE ASSIGNMENT OF NAMES TO STREETS AND ROADWAYS AND MAINTENANCE OF THE MAPPING SYSTEM AND POSTING OF STREET SIGNS AND BUILDING NUMBERS IN UPSHUR 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, the County Commission of Upshur County enacts its 9-1-1 Addressing and Mapping Ordinance as follows:

WHEREAS, pursuant to W. Va. Code Articles 7-1-3 and 7-1-3cc, and consistent with W. Va. Code Article 24E-1-1 et seq., the Upshur 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 the United States Postal Service, the West Virginia Division of Highways and the directors of Upshur County Emergency Communications Center; 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 Upshur County has been approved and implemented by the Upshur County Commission; and,

WHEREAS, the establishment of such system requires the assignment of names to all streets and roads in Upshur 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 county mapping system, and,

WHEREAS, the Upshur 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 Upshur County Commission,

NOW, THEREFORE, BE IT ORDAINED this 25th day of October, 2018 by the County Commission of Upshur County, West Virginia.

Section 1: APPLICABILITY

- Section 1.1 The provisions of this Ordinance shall apply to all unincorporated areas of Upshur County.
- Section 1.2 The City Council of Buckhannon approved Ordinance No. 344 establishing a stand-alone E-911 Addressing and Mapping System within the corporate limits of the City of Buckhannon on April 16, 2009.

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 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 10.56 feet, there being 500 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. Numbers shall begin when a road proceeds away from the road that is deemed of higher importance. The defined road hierarchy for the determination of road numbering directions will be arterial, collector, local, unpaved, seasonal and non-essential. In the event that roads are

at the same hierarchy and importance level, road numbering shall ascend from the direction that emergency responders would normally enter the road. The point of origin for an individual road may be adjusted, upon Commission approval, to avoid numbering conflicts.

- Section 2.7 "Primary structure" means, but shall not be limited to, a residential building, mobile home park, commercial building, industrial building, office building, public building, utility or communications tower.
- Section 2.8 "Display" means the manner in which the numbers are affixed to a structure or otherwise presented when affixing to a structure.
- Section 2.9 "Non-compliance" means any failure to comply with the provisions of this Ordinance including, but shall not be 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, weatherworn numbers, incorrect numbers and non-approved numbers.
- Section 2.10 "Occupant" means 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" means any and all persons, firms, entities, partnerships, trusts, corporations, 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 addresses" are based on an address system, which means that they usually appear in a consistent numeric sequence along a street and reflect parity conventions (that is, odd numbers all appear on one side of the street and even numbers on the other). When 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.

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- 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” or “Project” means the project for the creation of a statewide addressing and mapping system for emergency 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 created as a result of the Project, in which Upshur County Commission participated, 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 2.16 “True and Actual Cost” means the total amount of money the county expends in relation to changing a road name and/or address. This includes the Addressing & Mapping staff hours, the fee associated with changing an address on the statewide addressing and mapping site and the purchase of a new Division of Highways road sign.

Section 3: APPOINTMENT AND DUTIES OF ADDRESSING AND MAPPING COORDINATOR

- Section 3.1 In addition to the duties set forth elsewhere in this Ordinance, the Upshur County Addressing & Mapping Coordinator shall have the following duties:
- Section 3.2 The Upshur County Addressing & Mapping Coordinator shall recommend names, for approval by the Upshur County Commission, to any public or private road or street in Upshur County, which provides access to three or more primary structures.
- Section 3.3 In conjunction with the West Virginia Department of Highways, the Upshur County Addressing & Mapping Coordinator shall direct the placement of street signs at intersections of all West Virginia Division of Highway roads within Upshur County.
- Section 3.4 The Upshur County Addressing & Mapping Coordinator shall recommend an “Upshur County Road Name Index” for adoption by the Upshur County Commission no later than January 31st of each

year which shall be filed with the Upshur County Clerk. The Upshur County Road Name Index will be the official listing of names for streets and roads in Upshur County and such streets and roads are hereby assigned the names listed therein. The City of Buckhannon is responsible for submitting street and road names for the incorporated areas of the county to the Upshur County Addressing & Mapping Coordinator no later than November 30th of each year to be added to the Upshur County Road Name Index. As used in the Ordinance, the terms "street" and "road" shall generally have the same meaning and shall also include but shall not be limited to avenues, boulevards, highways, lanes, ways, and similar street types.

Section 3.5 The Upshur County Addressing & Mapping Coordinator shall collaborate with the Upshur County Communications Center, City of Buckhannon, the United States Postal Service, West Virginia Division of Highways and other interested agencies and persons in order to accomplish, within Upshur County, city-type addressing, digital mapping and other systems essential to the prompt and accurate dispatch of emergency 9-1-1- services. The Upshur County Addressing & Mapping Coordinator shall not, however, take any official action not expressly authorized in this Ordinance or otherwise directed by the Upshur County Commission.

Section 3.6 In applying this Ordinance, the Upshur County Addressing & Mapping Coordinator shall have the authority, in cooperation with the entities set forth in this section, to interpret this Ordinance to ensure a logical and efficient numbering and street addressing system.

Section 4: STRUCTURE AND LOCATION NUMBERING AND DISPLAY

Section 4.1 Whenever any primary 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 primary structure and to affix these numbers to the primary structure in accordance with this Ordinance. The cost of posting the address shall be the responsibility of the property owner.

Section 4.2 The owner shall file an application for a physical address assignment with the Upshur County Addressing & Mapping Coordinator. The owner to which an address has been assigned shall affix the address as outlined in this Ordinance within thirty (30) days after the notification of such address.

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- Section 4.3 Display of Number – Residential Structure Each primary structure shall display the number of the address assigned to that structure. The street 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 primary structure 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 shall be in a contrasting color from the background on which they are mounted.
- Section 4.4 Display of Number – Commercial and Industrial Structure –
Address numbers for commercial and industrial structures shall be in Arabic numerals at least six (6) 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 commercial or industrial structure 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 along the entrance or on a sign visible from the public right-of-way. Address numbers shall be in a contrasting color from the background on which they are mounted.
- Section 4.5 Display of Number – Apartments and Similar Structures – The address number assigned to a single building shall be displayed on each assigned structure. Numbers for individual apartments or units within these complexes shall 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 shall be in contrasting color from the background on which they are mounted.
- Section 4.6 Display of Number – Mobile Home Park and Similar Structures–
The address number assigned to a mobile home within an organized mobile home park must be one address number for the mobile home park with each mobile home assigned a lot or space number. The lot or space number shall be posted and permanently affixed to the lot identifying the lot or space number. The main address to the mobile home park shall be posted at the entrance of the park. Address numbers shall be in contrasting color from the background on which they are mounted.
- Section 4.7 The combination of address number and the road or street name shall be the official address of each primary structure.

Section 4.8 All costs to individuals or property owners in complying with this section of the Ordinance must be borne by that individual or property owner.

Section 5: ROAD NAMING

Section 5.1 No street within Upshur County shall be assigned a name on a subdivision plat or otherwise until such name is registered with the Upshur County Addressing & Mapping Coordinator, approved by the Upshur County Commission, and added to the Upshur County Road Name Index. The Upshur County Addressing & Mapping 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.

Section 5.2 No street name currently shown on a subdivision plat filed with the Upshur County Clerk shall be implemented by a subdivision owner until such name has been registered, approved and added to the Upshur County Road Name Index.

Section 5.3 A road or street name shall not be differentiated using the same street name and changing the street suffix such as a street or avenue.

Section 5.4 A road or street should have only one name throughout its entire length.

Section 5.5 All new road or street names shall be requested by a majority of property owners along such road or street as evidenced by the property owners' signatures. The Upshur County Addressing & Mapping Coordinator shall use the most current tax map information or deed of record filed with the Upshur County Clerk, to determine ownership of the real property. Each parcel, regardless of number of owners, shall total one signature. If the same property owner(s) owns multiple parcels along the road or street to be named, their signature shall be counted once. If a majority of signatures cannot be obtained, the Upshur County Commission shall select the street name from a list prepared and recommended by the Upshur County Addressing & Mapping Coordinator.

Section 5.6 For a road or street name to be changed in Upshur County, a petitioner shall complete a "Road Name Change Petition"

(“Petition”) application and pay a non-refundable \$50.00 fee to the Upshur County Commission.

The Addressing & Mapping Coordinator shall determine the availability of the requested name, the true and actual cost involved in changing the road name and the current property owner(s) along the road or street to be renamed. The Upshur County Addressing & Mapping Coordinator shall use the most current tax map information or deed of record filed with the Upshur County Clerk to determine ownership.

Once the Petition has been approved by the Upshur County Commission and filed with the Upshur County Clerk, the petitioner will have ninety (90) calendar days to collect the signatures and required documentation from a minimum of 80% of the property owners along the road or street requested to be renamed. Each parcel, regardless of the number of owners, total one signature for purposes of satisfying the 80% requirement. If the same property owner(s) own multiple parcels along the road or street to be renamed, the property owner’s signature shall be counted once toward the 80% requirement. Property owner signatures shall not be collected until the recommended road or street name has been approved by the Upshur County Commission and filed with the Upshur County Clerk.

The petitioner shall provide documentation, such as a tax bill or deed, confirming property ownership of each signatory to the Petition. This documentation shall accompany the petition at the time of filing. The petitioner shall pay the true and actual cost associated with the road name change. No exceptions will be granted regarding the true and actual cost associated with the road name change.

The Addressing & Mapping Coordinator shall notify all property owner(s) of record, after approval by the Upshur County Commission, of the road name and address changes.

Section 6: STREET SIGNS

Section 6.1 All new street signs erected within Upshur County shall conform with the specifications of this Ordinance.

Section 6.2 The property owner and/or owner(s) 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

property owner(s) and/or subdivision owner(s) 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.

Section 6.3 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 6.4 Any such person found to be responsible for damage or destruction of any road or street sign shall pay to the agency or individual(s) responsible for maintenance of the said sign 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, including court costs and attorney fees.

Section 7: MAPPING

Section 7.1 Emergency services or 9-1-1 dispatch within Upshur County must utilize the county addressing and mapping system.

Section 7.2 The core layers of maps for Upshur County may include, but shall not be limited to, CADASTRAL (tax map), ELEVATION (topographical), GEODETIC CONTROL (Latitude/Longitude), GOVERNMENTAL UNITS (state/county boundary), HYDROGRAPHY (water features), ORTHOIMAGERY (aerials), and TRANSPORTATION (WV DOH County Route/Road).

Section 7.3 The Upshur County Addressing & Mapping Coordinator, as authorized by the Upshur County Commission, may delegate, contract or cooperate with individuals, companies, corporations, governmental organizations or sub-divisions to coordinate, update and maintain the Upshur County base maps.

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

Section 8.1 Any concerns, appeals, problems, or complaints regarding the naming and numbering system within Upshur County shall be handled on a case-by-case basis by the Upshur County Addressing & Mapping Coordinator and, if necessary, by the Upshur County Commission.

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- Section 8.2 Amendment – The Upshur County Commission may, from time to time, amend, supplement or change the provisions of this Ordinance.
- Section 8.3 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 8.4 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 decision 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 thirty (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 not to exceed five hundred dollars (\$500.00). Each day a violation continues shall constitute a separate offense.
- Section 9.2 Whenever the Upshur County Addressing & Mapping Coordinator has reason to believe there has been or there exists a violation of this Ordinance, the Upshur County Commission shall give written notice of such violation to the person failing to comply, and order the person to take corrective measures within thirty (30) days from the date of notification. If such person(s) fail to comply with the duly issued order, the Upshur County Commission shall initiate necessary actions to terminate the violation through a court of competent jurisdiction.

Section 10: ADOPTION AND SIGNATURES

Section 10.1 This Ordinance is effective

First Reading this **4th** day of **September, 2003.**

Second Reading this **11th** day of **September, 2003.**

Adopted this **18th** day of **September, 2003.**

COUNTY COMMISSION of UPSHUR COUNTY, WEST VIRGINIA

Ordinance Adoption Signed By:

Kenneth T. Davidson - President

Donnie R. Tenney - Commissioner

Stephen P. Abel - Commissioner

Amended Ordinance Adopted this **8th** day of **February, 2007**

COUNTY COMMISSION of UPSHUR COUNTY, WEST VIRGINIA

Amended Ordinance Adoption Signed By:

Donnie R. Tenney - President

Creed G. Pletcher - Commissioner

Eugene C. Suder - Commissioner

Amended Ordinance Passed on First Reading this **4th** day of **October, 2018.**

Amended Ordinance Passed on Second Reading this **11th** day of **October, 2018.**

Amended Ordinance Adopted this **25th** day of **October, 2018.**

COUNTY COMMISSION of UPSHUR COUNTY, WEST VIRGINIA

Ordinance Adoption Signed By:

Samuel R. Nolte - President

Terry B. Cutright - Commissioner

Troy A. Brady III - Commissioner



Samuel R. Nolte, President



Terry B. Cutright, Commissioner



Troy A. Brady III, Commissioner