

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: JANUARY 23, 2017 AGENDA ITEM NUMBER: 3

SUBJECT: Ordinance Amending Various Sections of Chapter 20 of the Forsyth County Code, Streets (MAPFORSYTH)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION:

See attached

ATTACHMENTS: YES NO

SIGNATURE: *J. Dudley Abtts, Jr.* DATE: January 18, 2017
COUNTY MANAGER

Chapter 20

STREETS*

* **Editors Note:** Ord. No. 1-2013, adopted Mar. 11, 2013, amended Ch. 20 in its entirety to read as herein set out. Former Ch. 20, §§ 20-1--20-25, pertained to similar subject matter, and derived from Ord. of 8-25-69, §§ 1, 2; Ord. of 7-6-70, §§ 1--11; Ord. No. 2-92, §§ 3, 4, 4-13-92; Ord. No. 3-95, §§ 1, 2, 7-10-95; Ord. No. 1-2007, § 1, 3-26-07.

Cross References: Provision of air quality control ordinance permitting the setting of fires for maintenance of rights-of-way, § 3-45(a)(4), (7); buildings and building regulations, Ch. 7; erosion control, Ch. 9; motor vehicles and traffic, Ch. 14; zoning ordinance, Ch. 23.

State Law References: General authority of county relative to streets and roads, G.S. § 153A-239--153A-243.

Article I. Address Numbers and Street Names

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ARTICLE I.

ADDRESS NUMBERS AND STREET NAMES

Sec. 20-1. Purpose of article.

The purpose of this article is to establish a procedure for the assignment or reassignment of address numbers and street names for property in Forsyth County. The *Addressing and Street Naming Guidelines and Procedures Manual*, "Addressing Manual", adopted by the Addressing Technical Committee, sets forth the procedures for addressing and naming streets.

(Ord. No. 1-2013, 3-11-13)

Sec. 20-2. Definition.

(a) *Address* is defined as an identifier used to describe the specific location and can be comprised of a street number, directional prefix, street name, street type, unit type, or unit number.

(b) *Address Reference System* is defined as the set of rules for assigning street names and address numbers within a given jurisdiction.

(c) *Master Address Repository* "MAR" is defined as a database containing all the address numbers, addressing format, street naming format, street name spelling, zip codes and locations.

(d) *Street* is defined to include road, drive, access easement, right-of-way access area, or highway.

(e) *Subaddress* is defined as an identifier that uniquely identifies a separately occupied portion of a building or an individual building or structure on a property with a single address and multiple buildings thereon. A subaddress consists of a subaddress type (unit, suite, etc.) and subaddress identifier.
(Ord. No. 1-2013, 3-11-13)

Sec. 20-3. Scope of article.

The scope of this article shall include the assignment or reassignment of all official address numbers and street names, after first complying with the provisions of G.S. § 153A-239.1, if applicable, to residential, nonresidential, and other property, within the County and outside the jurisdictional limits of the City of Winston-Salem and the Town of Kernersville, including assignment of subaddresses. It shall not include the assignment of parcel identification numbers to real estate.

(Ord. No. 1-2013, 3-11-13)

Sec. 20-4. Role of the Addressing Coordinator.

- (a) The Addressing Coordinator is appointed by the MapForsyth Geographic Information Officer (GIO).
- (b) The duties of the Addressing Coordinator:
 - (1) *Assignment of address numbers.* The Addressing Coordinator shall assign or reassign official address numbers in accordance with this article;
 - (2) *Street naming.* The Addressing Coordinator shall research, verify and recommend to the County the official name, type and directional for streets within the county and outside the jurisdictional limits of the City of Winston-Salem and the Town of Kernersville;
 - (3) *Database development and maintenance.* The Addressing Coordinator shall maintain the Forsyth County Master Address Repository (MAR) as part of the Forsyth County Enterprise Geographic Information System (GIS). This MAR shall contain the address numbers, street names and subaddresses which have been assigned to parcels of land, buildings and their internal occupancies, or other facilities; and
 - (4) *Addressing and street naming procedures.* The Addressing Coordinator shall maintain the addressing manual, that sets forth the Address Reference System rules and other guidelines for the assignment of address numbers, street names and subaddresses throughout the County and outside the jurisdictional limits of the City of Winston-Salem and the Town of Kernersville. With the assistance of the Addressing Technical Committee (ATC), the addressing manual may be amended from time to time to reflect new land use patterns, changes in addressing conditions and other changes as necessary.

(Ord. No. 1-2013, 3-11-13)

Sec. 20-5. Addressing Technical Committee.

- (a) The ATC shall consist of representatives of organizations within Forsyth County, the City of Winston-Salem and other municipalities and may include the following:

MapForsyth Addressing Team
Forsyth County Tax Administration
Winston-Salem Department of Transportation
Winston-Salem/Forsyth County Planning and Development Services
Winston-Salem/Forsyth County Emergency Management
Forsyth County Emergency Services
Forsyth County Sheriff's Office
Winston-Salem Fire Department
Winston-Salem Police Department
Winston-Salem Sanitation Division
City-County Utilities Division
The Town of Lewisville
The Village of Clemmons
The Town of Kernersville
The Town of Bethania

(b) Members are responsible for actively informing the Committee of actions that involve addressing or street naming in their organizations, and representing their organization on matters to be considered by the ATC.

(c) The ATC shall:

- (1) Assist the Addressing Coordinator in resolving complex addressing and street naming problems;
- (2) Advocate to the public, elected officials, and member organizations for improvements to addressing systems and practices, including supporting requests for fiscal resources and staff;
- (3) Convene annually to elect officers and to review the *Addressing and Street Naming Guidelines and Procedures Manual*; and
- (4) Hear appeals for the public on street naming decisions.

Sec. 20-6. Address Reference System.

Coordinate grid established. The address number assignments or reassignments shall be based on a coordinate system established within Forsyth County. The meridians of such system shall begin inside Winston-Salem at the intersection of First and Main Streets, and shall be established as follows: north along N. Main Street, N. Patterson Avenue and Old U.S. 52 to the Stokes County line; west along W. First Street, Country Club Road, and Shallowford Road to the Yadkin County line; south along S. Main Street and U.S. 52 to the Davidson County line; and east along E. First Street and U.S. 421/I-40 Business to the Guilford County line. These meridians shall be the base lines for the purpose of address number assignment and determining whether a street directional is necessary. A directional is only to be used for streets that cross the aforementioned north/south or east/west meridians.

Each street running east and west, or substantially in that course, shall, for the purpose of numbering under this section, begin at the east and west side of the east/west meridian, as the case may be, with number one, increasing east and west from such initial point to the corporate limits of the county, as they now exist or may hereafter be extended.

Each street running north and south, or substantially in that course, shall, for the purpose of numbering under this section, begin at the north and south side of the north/south meridian, as the case may be, with number one, increasing north and south from such initial point to the corporate limits of the county, as they now exist or may hereafter be extended.
(Ord. No. 1-2013, 3-11-13)

Sec. 20-7. Addressing format.

Address format established. All addresses shall comply with the Federal Geographic Data Committee (FGDC) United States Thoroughfare, Landmark, and Postal Address Data Standard. Each address shall at a minimum be comprised of the following elements, in the following order:

- (1) Address number, conforming to the coordinate grid;
- (2) Directional prefix, as necessary, based on the coordinate grid referenced in section 20-6;
- (3) Street name, conforming to this article and addressing manual;
- (4) Street type, conforming to the list maintained in the addressing manual;
- (5) Subaddress type, as necessary, and conforming to the addressing manual; and
- (6) Subaddress identifier, as necessary. The subaddress identifier shall be comprised of numbers.

(Ord. No. 1-2013, 3-11-13)

Sec. 20-8. Street naming standards.

- (a) *Street names required.* Subject to G.S. § 153A-239.1, if applicable, street names are required for planned or existing public or private streets.
- (b) All street names shall comply with the Addressing Manual.
- (c) *Signage.* All named streets shall be properly marked with signage in accordance with the Addressing Manual and the NCDOT *manual of Uniform Traffic Control Devices*.
- (d) *Cost of Signs.* A party requesting to name or rename a street shall be responsible for the cost of the sign. When Forsyth County initiates a street renaming the County shall be responsible for the cost of the street sign.
(Ord. No. 1-2013, 3-11-13)

Sec. 20-9. Address assignment.

The Addressing Coordinator shall assign or reassign an address number or subaddress in accordance with this article and the Addressing Manual. The Addressing Coordinator shall assign or reassign addresses based on the Address Reference System established in Forsyth County as described in section 20-6 of this article.

Sec. 20-10. Display of address numbers.

(a) *Required address display format.* Every owner or occupant in control of property with a house, building, or other structure shall affix to the house, building or other structure and display at all times the official address number assigned or reassigned to such property pursuant to this article, at a place visible from the street on which the property is addressed. All address numbers shall be displayed numerically in Arabic numerals and shall not be spelled as words. Whenever new official numbers are assigned or reassigned, they shall be displayed pursuant to the provisions of this section by the owner or occupant in control of the property within thirty (30) days following the notification of such assignment or reassignment.

- (1) *Size and location of numbers.* The size and location of address numbers shall be in accordance with the North Carolina State Building Code.
- (2) *Color of numbers.* All displays of official address numbers shall be of a contrasting color (i.e., light numbers on dark surfaces; dark numbers on light surfaces) to the color of the building or structure located on the subject property, and such displays shall be readable when illuminated.
- (3) *Structures located distant from the street on which they front.* Where a house, building or other structure is located more than one hundred (100) feet from the street on which such property is accessed, or the topography or vegetation of such property prevents the address numbers from being seen from the street, the assigned address numbers shall be posted on a sign or post that is located no more than ten (10) feet from the intersection of the street and the driveway. The assigned address numbers posted shall not be less than four (4) inches in height and shall comply with the color requirements in subsection (a)(2) above.

(b) *Maintenance.* Following the posting of the address number as required, the owner or occupant in control of the property shall maintain such numbers at all times in accordance with the standards of this article.

(c) *Applicability to existing structures.* Owners or occupants in control of all houses, buildings or other structures within the county and outside the jurisdictional limits of the City of Winston-Salem and the Town of Kernersville shall comply with the provisions contained in this article upon its adoption.

(d) *Noncompliance.*

- (1) If any property owner or occupant in control of the property shall fail or refuse to comply with section 20-10, the Forsyth County Fire Marshal shall have authority, after giving five (5) days' written notice to the owner or occupant, to remove or cause to be removed any unofficial address number displayed on the property of such owner or occupant, and to properly display upon such property the official address number assigned thereto, all at the expense of the owner or occupant in control of such property.
- (2) If any property owner or occupant in control of the property shall fail or refuse to comply with this article, the Forsyth County Fire Marshal shall have the authority, upon five (5) days' written notice to such owner or occupant, to initiate enforcement measures in accordance with section 20-11.

(Ord. No. 1-2013, 3-11-13)

Sec. 20-11. Violations and penalties.

(a) *Enforcement.* The property owner or occupant in control of the property shall display the assigned address in accordance with the requirements of this article. The failure of any person, firm or corporation which is an owner or occupant in control of a house, building or other structure to have affixed thereto or to have otherwise displayed the official address number of such property in accordance with the standards contained in section 20-10 of this article shall be considered a violation of this article and an abatable nuisance. In addition to all other remedies provided by law, the Forsyth County Fire Marshal shall have authority to pursue enforcement of this article following written notice to the property owner or occupant in control of the property from the Forsyth County Fire Marshal. The property owner or occupant in control of the property shall have five (5) days from the date of written notice to correct the deficiencies listed therein.

If the individual receiving notice does not correct such deficiencies, the Forsyth County Fire Marshal shall have authority to secure injunctions and abatement orders to insure compliance through the appropriate division of the North Carolina General Court of Justice.

(b) *Criminal enforcement.* Any person who violates this article or any provisions thereof, shall be guilty of a class 3 misdemeanor and may be fined not more than five hundred dollars (\$500.00).

(c) *Civil enforcement.* In addition to criminal penalties, any person, firm, or corporation violating any provisions of this article shall be subject to a civil penalty of one hundred dollars (\$100.00), which can be recovered by the county in a civil action in the nature of a debt, if the offender does not pay the penalty within a prescribed period of time after being cited for violation of this article. No civil penalty shall be assessed until the person alleged to be in violation has been notified of the violation by the Forsyth County Fire Marshal. Failure to correct the violation within five (5) days of the date of service of the notice, or the end of the period of any extension, may result in the assessment of a civil penalty or other enforcement action. For good cause determined by the Forsyth County Fire Marshal, the correction period may be extended by the Forsyth County Fire Marshal. Each day of continuing violation shall constitute a separate violation.

(d) *Referral to attorneys.* If payment of penalties is not received within five (5) days after written demand for payment is made, the Forsyth County Fire Marshal may refer the matter to the County Attorney, who is authorized to institute a civil action in the name of the County in the appropriate division of the North Carolina General Court of Justice for recovery of the penalty.

(e) *Other relief.* The County attorney may secure, on behalf of the County, in addition to other remedies provided by law, injunction, mandamus, abatement, or any other appropriate relief to prevent, enjoin, abate, or address such unlawful action.

(Ord. No. 1-2013, 3-11-13)

Sec. 20-12. Appeals process.

(a) *Appeal of assigned address number.* Address number assignments are final and not appealable.

(b) *Appeal of street name.* An affected party may appeal any proposed street naming or renaming decision of the Addressing Coordinator to the ATC. The property owner shall have fifteen (15) calendar days from the date of notification of a proposed street name or street name change to appeal. An appeal shall be made by filing written notice, including reasons for the requested appeal, with the Addressing Coordinator within the time period prescribed.

The ATC may affirm, reverse or modify the proposed street name based upon a determination as to whether the Addressing Coordinator's actions were in accordance with this article and the addressing manual.

(c) *Appeal of the decision of the Address Technical Committee.* The appeal of any decision of the ATC by a property owner shall be made to the Forsyth County Board of Commissioners (BOC). The property owner shall have fifteen (15) calendar days from the date of written notification of the decision of the ATC within which to appeal. An appeal shall be made by filing written notice, including reasons for the requested appeal, to the BOC, within the time period prescribed. The action of the BOC shall be final.

The BOC may affirm, reverse or modify the decision of the Address Technical Committee based upon a determination as to whether the Committee's actions were in accordance with this article and the addressing manual.

Staff Report on Amendment to Forsyth County Code - Chapter 20 "Streets"

Upon review of Chapter 20 of the Forsyth County Code, staff from MapForsyth discovered various sections that needed to be updated or added to comply with current practices.

The following provides an outline of the changes made to Chapter 20, Streets, of the Forsyth County Code. Approval of these changes will ensure that all citizens, businesses, etc. are operating under the most current County addressing ordinance and provides staff with the consistency they need to enforce the County code.

Amendments/Additions/Deletions include:

1. Changes all references from "Roads" to "Streets" to ensure consistency with the name of Chapter 20
2. Amends Section 20.1 - Purpose of Article to specify that the procedures for address and street naming is set forth in the "Addressing and Street Naming Guidelines and Procedures Manual", the "Addressing Manual", as adopted by the Addressing Technical Committee.
3. Amends Section 20.2 Definitions
 - a. Expands on the definitions and terminology used in addressing and street naming.
 - b. Deletes reference to cartway, tramway and thoroughfare in the definition of a Street.
4. Amends Section 20.4 - Role of the Addressing Coordinator
 - a. Changes who appoints the Addressing Coordinator. Current code says City/County Planning Director appoints the Addressing Coordinator but since MapForsyth now handles Addressing, the MapForsyth Geographic Information Officer (GIO) appoints the Addressing Coordinator.
 - b. Expands and clarifies duties in existing language
5. Adds Section 20.5 - Addressing Technical Committee
 - a. Identifies representatives of the ATC
 - b. Outlines responsibilities of the ATC
6. Section 20.7 - Addressing Format
 - a. Identifies that all addresses will comply with the Federal Geographic Data Committee United States Thoroughfare, Landmark, and Postal Address Standard.
7. Section 20.8 - Street Naming Standards
 - a. Clarifies that street names comply with the Addressing Manual which conforms to the FGDC standard identified in Section 20.7
 - b. Subsection (d) provides the responsible party for costs of signage
8. Section 20-10 - Display of Addresses

- a. Outlines that size & location of numbers for addresses are in accordance with NC State Building Code
 - b. Provides the process for signage of structures located distant from the road on which they front.
 - c. Changes that County Fire Marshal is the compliance officer. Changes it from Housing & Economic Development department.
9. Adds Section 20-12 to outline the appeals process and what is and is not appealable.