

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

ORDINANCE ESTABLISHING NAMES FOR PUBLIC AND PRIVATE ROADS
IN WATAUGA COUNTY

I. PURPOSE

The Watauga County Board of Commissioners enacts this ordinance to provide uniform policies and procedures for naming roads in order to preserve and promote public health, safety and welfare.

II. AUTHORITY

The Board of Commissioners of Watauga County enacts this ordinance pursuant to the authority granted by North Carolina General Statute 153A-238, 153A-239 and 153A-240.

III. TERRITORIAL JURISDICTION AND APPLICABILITY

The road naming policies and procedures set forth in this ordinance shall apply to state-maintained public roads, private roads with more than two residences and private roads within recorded subdivisions located within the unincorporated area of Watauga County.

IV. ROAD-NAMING POLICY

The County may, by ordinance, name or rename any road within the County and not within a city, and may assign or reassign street numbers for use on such roads. New roads, those which do not physically exist as of November 7, 1994 shall avoid duplication of existing road names. An existing private drive with two (2) or less residences as of November 7, 1994 which acquires a third (3rd) residence after that date shall be considered a "new" private road. The current official list of public and private road names described in Section VI of this ordinance shall identify all existing roads in Watauga County. Road names shall be subject to the approval of the Board of Commissioners. In renaming roads, the County may not:

1. Change the name, if any, given to a public road by the Board of Transportation, unless the Board of Transportation agrees; or

2. Change the name, if any given to a private road by the property-owning residents on that road, unless consensus on the road name cannot be reached and/or the name is deceptively similar to another road in the vicinity; or
3. Change the number assigned to the road by the Board of Transportation, but may give the road a name in addition to its number; or
4. Give the road a name that is deceptively similar to the name of any other road in the vicinity.

IV. ROAD-NAMING PROCEDURE

The initial list of private road names shall be established as follows:

1. The County shall contact the property-owning residents on existing unnamed private roads to request a road name. The name requested by the majority of property-owning residents shall take precedence.
2. A list of road names shall be compiled at the Planning and Inspection Department. In the case of roads having the same or very similar name, priority shall be given to the road that has been in existence longer. If a requested road name is deceptively similar to any other road in the vicinity, a different road name will be requested.
3. An extension of a public and/or private road shall be identified by the same road name.
4. Private road names found on a recorded subdivision plat shall be used, unless the name is deceptively similar to another road in the vicinity.

After adoption of the initial list(s) of public and private road names, the County shall not name or rename a road or assign or reassign street numbers on a road until it has held a public hearing on the matter. At least 10 days before the day of the hearing, the Board of Commissioners shall cause notice of the time, place and subject matter of the hearing to be prominently posted at the County Courthouse, in at least two public places in the township or townships where the road is located, and shall publish a notice of such hearing in at least one newspaper of general circulation published in the County. After naming or renaming a road, or assigning or reassigning street numbers on a road, the County shall cause notice of its action to be given to the local postmaster with jurisdiction over the road, to the Board of Transportation, and to any city within five miles of the road.

V. PETITION AND FEE

Citizens may request the Board of Commissioners to change the name of a road as described in Sections III and IV of this ordinance. Such request(s) shall be accompanied by a petition (form to be provided by the County) and a fee in an amount to be set from time to time by resolution of the Board of Commissioners.

VI. OFFICIAL LIST

Copies of the current official list of public and private road names in Watauga County shall be maintained in the office of the Department of Planning and Inspections.

VII. SIGNS

The County shall purchase, install, and maintain standardized road-name signs to be placed at each intersection of public state maintained roads, private roads with more than two residences and private roads within developed, recorded subdivisions in unincorporated Watauga County.

Developments that wish to preserve existing private road signs may request approval from the County. Existing private road signs that do not conform to County standard signs as described in this ordinance shall be maintained by the members of said development.

VIII. LEGAL STATUS PROVISIONS

It shall be unlawful for any person to establish or erect any road sign that does not comply with the standards accepted by Watauga County to which this ordinance applies.

It shall be unlawful for any person to name or designate the name of any private road, street, drive, cartway, easement, right-of-way, access area or any other thoroughfare by any name which duplicates the name of any other thoroughfare in Watauga County.

Any person who shall violate any provision of this ordinance or destroy, mar, or deface any street sign, shall upon conviction, be fined not exceeding fifty dollars (\$50) or by imprisonment of not more than thirty (30) days, and each day's failure of compliance with any such provision shall constitute a separate violation. Nothing herein contained shall prevent the County of Watauga from taking other such lawful action as is necessary to prevent or remedy any violation.

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decisions shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

This ordinance shall repeal the Ordinance Establishing Names

For Public Roads In Watauga County (effective February 20, 1990) and shall be in effect from and after November 7, 1994.

Ben F. Strickland

Ben F. Strickland, Chairman

ATTEST:

Roberta M. Watson

Roberta M. Watson
Clerk to the Board

[SEAL]