

Hampshire County Commission

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Hampshire County West Virginia

Road Naming Ordinance

An ordinance to provide assignment of names to streets and roadways.

Hampshire County, West Virginia
Road naming ordinance

In order to uniformly assign and maintain the road names in Hampshire County and to provide for easy identification of the road names for various purposes and to promote the health, safety, and welfare of the citizens of Hampshire County, the County Commission enacts its Road Naming ordinance as follows:

WHEREAS, pursuant to W.V. Code § 7-1-3, § 7-1-3cc, § 24-6-5, and § 24-6-6, 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, the Director of Emergency Services, and the Director of the County 911 Communications Center; and to assure uniform, non-duplicative conversion of all rural routes to city style addressing on a permanent basis; and,

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 the county,

NOW, THEREFORE, BE IT ORDAINED this _____ day of _____, 2002 by the Hampshire County Commission of Hampshire County, West Virginia Ordinance number _____.

Section 1: AUTHORIZATIONS

Section 1.1 The provisions of this Ordinance shall be applicable in all unincorporated areas of Hampshire County. The incorporated cities of Romney and Capon Bridge shall have the option to adopt this Ordinance by each respective City or Town council.

Section 1.2 The Hampshire County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to assign names to any public or private road or street in the County, which provides access or has the potential access to three or more occupied buildings.

Section 1.3 The Hampshire County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to negotiate with residents along streets or roads bearing duplicate or confusingly similar names in the County and to change the names of such roads or streets to eliminate such duplication or confusing similarity.

Section 1.4 The Hampshire County Addressing Coordinator, or his/her duly authorized agent, is hereby authorized to direct the placement of street signs at intersections within the County.

Section 1.5 The Hampshire County Road Name Index shall be adopted by the County Commission and filed and maintained in the Hampshire County Office of Emergency Services and the Hampshire Co 911 offices. This listing shall 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 1.6 Whenever the Hampshire County Addressing Coordinator, or his/her duly authorized agent has reason to believe there has been or there exists a violation of this Ordinance, he/she 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 date of notification. If such person(s) fail to comply with the duly issued order, the Hampshire County Addressing Coordinator, or his/her agent, shall initiate necessary actions to terminate the violation through criminal or civil measures.

Section 2 DEFINITIONS AS USED IN THIS ORDINANCE

Section 2.1 For the purpose of this Ordinance, the terms, phrases, works and their derivations shall have the meaning that is provided in the National Emergency Number Association (NENA) Standard Guidelines as reference by the United States Postal Service, unless the context clearly indicates otherwise.

Section 2.2 The term “Road” or “Street” shall mean any public or private thoroughfare, used for vehicular traffic and/or any easement or right-of-way that provides 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 3 ROAD NAMING

Section 3.1 The “Hampshire County Road Name Index” shall be the official listing of names for streets and roads in Hampshire County. The Hampshire County Addressing Coordinator, or his/her authorized agent, is hereby authorized to assign names to roads.

Section 3.2 No street within the County shall be assigned a name on a subdivision plat or otherwise until such name is registered with the Hampshire County Addressing Coordinator, approved, and added to the Hampshire County Road Name Index. The Hampshire County Addressing Coordinator, 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 Addressing Coordinator, or by the County Commission.

Section 3.3 No street currently shown on a subdivision plat filed with the County or otherwise shall be implemented by a subdivision owner until such name has been registered with the Hampshire County Addressing Coordinator, or the duly authorized agent, approved and added to the Hampshire County Road Name Index. The Hampshire County Addressing Coordinator, 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 Addressing Coordinator, or by the County Commission.

Section 3.4 Road names shall not duplicate road names already assigned, irrespective of road name prefixes or suffixes except for roads located within different corporations. The four cardinal points of the compass may be used as a prefix or a suffix to designate portions of a continuous street.

Section 3.5 A street name shall not be differentiated using the same name by changing the street suffix such as street or avenue except that those duplicate streets having different suffixes must be directly accessible from the street having the same name with the different suffix. An example would be Birch Court must be accessible from Birch Street.

Section 3.6 A street shall have only one name throughout its entire length unless approved as an exception by the County Commission.

Section 3.7 Following the completion of the road naming project as determined by the County Commission, there shall be a moratorium on changes in road and street names in the unincorporated parts of the County for a period of two (2) years.

Thereafter, a petition requesting a change in name, signed by owners of eighty percent (80%) of the parcels in the street whose name is proposed to be changed, shall be filed with the Hampshire County Office of Emergency Services. Such petition should not be filed until the Hampshire County Addressing Coordinator, or his/her duly authorized agent, confirms the

availability of the proposed name, but, not later than ninety (90) days following such confirmation.

Documentation such as a tax bill or deed, showing the ownership of each signatory to the petition must accompany the petition at the time of filing.

A non-refundable deposit in the amount of Two Hundred Fifty Dollars (\$250.00) shall accompany the petition. Upon approval of the name change, the petitioner shall be obligated to pay to the County for the actual costs incurred by the name change.

Residents along the affected road or street shall be responsible for advising The United States Postal Service of such road or street name change.

SECTION 4 STREET/ROAD SIGNS

- Section 4.1 All new street/road signs erected within Hampshire County shall 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 4.2 The owner of any subdivision or other development shall erect or cause to be erected street/road 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, unless, by vote of the County Commission, such responsibility is assumed by the County. 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.
- Section 4.3 Sign Specifications – All signs erected shall be in conformance to the West Virginia Department of Transportation, Division of Highways as defined in the “Standards for the Design and Installation of Road Name Signing” published March 1999 (Appendix A). In all cases, the posted speed limit shall govern the specification of signs erected per Appendix A.
- Section 4.4 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 4.5 Any such person found to be responsible for damage or destruction of any road or street sign shall pay to the County 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 5 APPEALS, AMENDMENT, CONFLICT WITH OTHER LAWS, VALIDITY

Section 5.1 During the initial project stage and prior to the completion of the project, any requests concerning road name changes will first be directed to the Hampshire County Addressing Coordinator within thirty (30) days from the time of road name assignment. If the initial contact does not satisfy the individuals 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 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 5.2 After implementation of the road naming system, any concerns, problems, or complaints regarding the naming system will be handled on a case-by-case basis by the Hampshire County Addressing Coordinator.

Section 5.3 Amendment – By legislative procedure, the Hampshire County Commission may, from time to time, amend, supplement or change the provisions of this Ordinance.

Section 5.4 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 5.5 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 6 PENALTIES

Section 6.1 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 7 ADOPTION AND SIGNATURES

Section 9.1 This Ordinance shall be effective_____

Adopted this _____ day of _____,_____.

HAMPSHIRE COUNTY COMMISSION

President of the Commission

Commissioner

Commissioner

Passed November, 11 2002.