

**BROOKE COUNTY  
COMMISSION**

---

---

**BROOKE COUNTY  
WEST VIRGINIA**

**9-1-1 ADDRESSING AND  
MAPPING ORDINANCE**

**AN ORDINANCE TO PROVIDE ASSIGNMENT OF NAMES TO STREETS  
AND ROADWAYS AND IMPLEMENTATION AND MAINTENANCE OF  
THE MAPPING AND POSTING OF STREET SIGNS AND BUILDING  
NUMBERS IN BROOKE COUNTY, WEST VIRGINIA**

**BROOKE COUNTY, WEST VIRGINIA**  
**E911 Addressing Ordinance**

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 of the County of Brooke, the Count enacts its E911 Addressing Ordinance as follows:

WHEREAS, pursuant to West Virginia Code 7-1-3ii, 24-6-5 and 24-6-6, the Brooke 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 and the directors of county emergency communications centers assigned by the Brooke County Commission to the Sheriff of Brooke County and to assure uniform, non-duplicative conversion of all rural routes to city-type addressing on a permanent basis; and,

WHEREAS, the establishment of an Enhanced 911 Emergency Telephone System in Brooke County has been approved and implemented by the Brooke County Commission; and operation assigned to the Brooke County Sheriff.

WHEREAS, the establishment of such system requires the assignment of names to all streets and roads in the county, the assignment of building numbers to all buildings having telephones and/or occupancies, and the erection of appropriate street signs at intersections; and

WHEREAS, an E911 Addressing Section oversees the Project, under the E911 Communications Center overseen by the Sheriff of Brooke County.

NOW, THEREFORE, BE IT ORDAINED this 27<sup>th</sup> day of December, 2012  
by the Brooke County Commission of Brooke County, West Virginia, Ordinance Number N/A

**Section 1: AUTHORIZATIONS**

Section 1.1 The provisions of this Ordinance shall be applicable in all unincorporated areas of Brooke County. The incorporated towns of Wellsburg, Follansbee, Weirton (Brooke County section), Bethany, Beech Bottom and Windsor Heights have the option to adopt this Ordinance by each respective town council. The responsibility for managing and addressing matters identified in this Ordinance is the authorized agent, the Sheriff of Brooke County and E911 Communication Center addressing Project Section.

Section 1.2 the Brooke County Commission, or its duly authorized agent, is hereby authorized to assign names to any public or private road or street in the County, which provides access to three or more occupied buildings.

Section 1.3 The Brooke County Commission, or its 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 Brooke County Commission, or its duly authorized agent, is hereby authorized to direct the placement of street signs at intersections within the County. The Brooke County Commission or its duly authorized agent will work in cooperation with the Department of Highways in funding the initial costs of such signs and installation for all unincorporated areas of Brooke County.
- Section 1.5 “The Brooke County Road Name Index” shall be adopted by the County Commission and filed and maintained in the Brooke County Commission Office. This listing shall be the official listing of names for streets and roads in Brooke 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 In applying the guidelines specified herein, the Brooke County Commission, or its duly authorized agent, shall have the authority to interpret this Ordinance to ensure a logical and efficient numbering and street addressing system.
- Section 1.7 Whenever the Brooke County Commission, or its duly authorized agent, has reason to believe there has been or there exists a violation of this Ordinance, a written notice of such violation shall be given 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(s) to comply with the duly issued order, the Brooke County Commission, or its duly authorized 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 following terms, phrases, words and their derivations shall have the meaning that is 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” shall mean the number assigned to consecutive intervals along a street or road pursuant to the Number Assignment Formula contained herein.
- Section 2.3 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 sole access to more than two parcels or lots. This term shall be defined as the “Street suffix” and include, but is not limited to; avenue, drive, way, boulevard, highway, lane, pike or similar street types.

- Section 2.4 The “Number Assignment Formula” as found herein is defined 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 An “interval” is defined as the distance along a roadway of 5.28 feet, there being 1,000 intervals per mile (5,280).
- Section 2.6 “Point of Origin” shall mean that end point of a road, which is the starting point for a numbering sequence.
- Section 2.7 As used herein, “Primary Structure” shall include but not be limited to residential building, mobile home park, commercial building, industrial building, office building, public building, utility and/or communications tower.
- Section 2.8 “Display” as used herein is the manner the numbers are affixed to a structure or otherwise displayed when affixing to a structure.
- Section 2.9 “Non-Compliance” is any failure to comply with the provisions of this Ordinance including, but not 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 911 address area, numbers improperly affixed, numbers illegible, numbers unclear, numbers obstructed, numbers not in contrast with immediate background, weatherworn numbers, wrong numbers, and non-approved numbers.
- Section 2.10 “Occupant” is 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” is 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 3 STRUCTURE AND LOCATION NUMBERING AND DISPLAY**

- Section 3.1 Whenever any house, building, or structure shall be 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 property and to affix these numbers to the building in accordance to this Ordinance. The owner shall place or cause to be placed upon each house or building controlled by him the number or numbers assigned under the uniform number system within thirty (30) days or notification of the assigned address. The cost of posting the address shall be the responsibility of the property owner.

- Section 3.2 The Brooke County Commission, or its duly authorized agent, shall assign addresses. The address shall be issued not later than thirty (30) days following identification of address.
- Section 3.3 Display of Number – Residential Structure – Each primary structure shall display the number of the address assigned to that address. The street number for residences shall be in accordance with the BOCA National Property Maintenance Code, Section PM-303.3, Exterior Structure, Premises Identification. The numbers shall be in Arabic numerals at least three (3) 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 residence entrance 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 a driveway, or property entrance. Address numbers are to be a contrasting color to the background on which they are mounted.
- Section 3.5 The owner or person in charge of any house, building, mobile home, or other structure to which a number has been assigned shall affix the number as outlined in this Ordinance with thirty (30) days after the receipt or notification of such number.
- Section 3.6 Display of Number – Commercial and Industrial Structure – Address numbers for commercial and industrial structures shall follow BOCA pm 303.3 code regulations of at least six (6) inches in height. The number shall be placed above or on the main entrance to the structure when possible. If such number is not clearly visible from the public right-of-way, the number shall be placed along a driveway or on a sign visible from the same. Address numbers are to be a contrasting color to the background on which they are mounted.
- Section 3.7 Display of Number – Apartments and Similar – The address number assigned to a single building number shall be displayed on each assigned structure following the BOCA PM 303.3 code. Numbers and/or letters from 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.
- Section 3.7.1 Display of Number – Trailer Park and Similar – The address number assigned to a trailer within an organized trailer park shall be one address number for the trailer park with each trailer assigned a lot or space number. The lot or space number must be posted and permanently affixed to the lot identifying the lot or space number. The main address is the trailer park must be posted at the entrance of the park. Address numbers are to be a contrasting color to the background on which they are mounted
- Section 3.8 The combination of such an address number and the road or street name shall be the official address of such primary structure.
- Section 3.9 All costs to individuals or households in complying with this section of the Ordinance shall be borne by that individual or household.

## **Section 4      ROAD NAMING**

- Section 4.1      The “Brooke County Road Name Index” shall be the official listing of names for streets and roads in Brooke County. The Brooke County Commission, or its duly authorized agent, is hereby authorized to assign names to roads.
- Section 4.2      No street within the County shall be assigned a name on a subdivision plat or otherwise until such name is registered with the Brooke County Commission approved, and added to the Brooke County Road Name Index. The Brooke County Commission or its 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 Brooke County Commission.
- Section 4.3      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 Brooke County Commission or its duly authorized agent, approved and added to the Brooke County Road Name Index. The Brooke County Commission, or its 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 Brooke County Commission.
- Section 4.4      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 suffix to designate portions of a continuous street.
- Section 4.5      A street name shall not be differentiated using the same name by changing the street suffix such as a 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 Birth Street.
- Section 4.6      A street shall have only one name throughout its entire length unless approved as an exception by the County Commission.
- Section 4.7      Following the completion of the address conversion project as determined by the County Commission, there shall be a moratorium on changes in road and street names in the unincorporated areas 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 on the street whose name is proposed to be changed, shall be filed with the Brooke County Commission. Such petition should not be filed until the Brooke County Commission, or its 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 5     **STREET SIGNS****

- Section 5.1     All new street signs erected within Brooke County shall be in conformance with the specifications of this section, unless the West Virginia Department of Transportation, Division of Highways or the Brooke County Commission grants a variance.
- Section 5.2     The owner 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, 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 5.3     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 5.4     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 5.5     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 part for all costs, such as court costs and reasonable attorney fees.

## **Section 6      MAPS**

Section 6.1      All properties or parcels of land within Brooke County shall hereafter be identified by reference to a uniform numbering system, as shown on maps maintained in the Brooke County Commission. The maps and explanatory matter thereon may be amended, modified, or changed at the direction of the Brooke County Commission, or its duly authorized agent.

## **Section 7      APPEALS, AMENDMENT, CONFLICT WITH OTHER LAWS, VALIDITY**

Section 7.1      During the initial project stage and prior to the completion of the project any requests concerning road name changes and/or addressing complaints will be directed to the Brooke County Commission, or its duly authorized agent. 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 thirty (30) days after the complaint is directed to the Commission.

Section 7.2      After implementation of the address conversion system, any concerns, problems, or complaints regarding the naming and numbering system will be handled on a case-by-case basis by the County Commission, or its duly authorized agent.

Section 7.3      Amendment – By legislative procedure, the Brooke County Commission may, from time to time, amend, supplement or change the provisions of this Ordinance.

Section 7.4      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 7.5      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 8      PENALTIES**

Section 8.1      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 of not to exceed Five Hundred Dollars (\$500.00). Each day a violation continues shall constitute a separate offense.

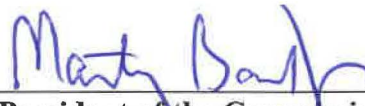


**Section 9**      **ADOPTION AND SIGNATURES**

Section 9.1      this Ordinance shall be effective December 27, , 20 12 .

Adopted this 27<sup>th</sup> day of December, 2012

**BROOKE COUNTY COMMISSION**



**President of the Commission**



**Commissioner**



**Commissioner**