

**ORDINANCE TO ESTABLISH A PROCEDURE FOR NAMING PRIVATE  
ROADS FOR MCDOWELL COUNTY, NORTH CAROLINA**

**WHEREAS**, the Board of Commissioners of McDowell County, North Carolina, desire to adopt an ordinance to establish a procedure for naming private roads within McDowell County, and not within a city under the provisions of General Statute 153A-239.1; and

**WHEREAS**, the Board of Commissioners of McDowell County, North Carolina, recognize that the naming of private roads will assist in the delivery of emergency services;

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Commissioners of McDowell County that the roads in McDowell County, North Carolina, not within a city, may be named upon compliance with the following sections of this Ordinance:

**Section 1. Written Petition**

- A. Any person or person desiring to name a private road within McDowell County, and not within a city, shall submit a written petition to the office of the County Manager of McDowell County, North Carolina. A blank petition may be obtained by contacting the County Managers Office or the Emergency Medical Services Office. The petition shall include the following:
1. Detailed directions to the road to be named.
  2. Three road name suggestions in order of preference.
  3. The number of residences accessing the road to be named.
  4. The number of property owners with frontage on the road to be named.
  5. The witnessed signatures of at least fifty one percent (51%) of the property owners on the road.
- B. There shall be a minimum number of four (4) residences on the road except in cases where it is deemed by McDowell County that there is sufficient justification for a variation from the four home minimum, such as, when an unnamed road with less than four homes provides access to a named road with four homes or more, or a street which has only three residences but also provides access to a business.
- C. The proposed road name shall not duplicate or be deceptively similar to the name of any other public or private road in McDowell County in accordance with N.C.G.S. 153A-239.1.

## **Section 2. 911 Questionnaires**

In addition to the written petition, each residence located with access to a private road that is to be named will be required to complete a 911 questionnaire. These questionnaires are available through the County Manager's Office, the McDowell County Sheriff's Department or the McDowell County Emergency Medical Services Office.

## **Section 3. Setting of Fees**

The McDowell County Board of Commissioners shall annually set a fee for naming private roads within McDowell County.

## **Section 4. Payment of Fees**

Prior to submitting a petition for the naming of a private road to the Board of Commissioners of McDowell County, McDowell County shall collect from the petitioner or petitioners the entire road-naming fee as established in Section 3 above.

## **Section 5. Public Hearing**

Upon the payment of the road-naming fee, the written petition presented under Section 1 above shall be submitted to the Board of County Commissioners, and the said Board of County Commissioners shall hold a public hearing as set forth in North Carolina General Statutes 153A-239.1.

## **Section 6. Refund of Unused Fees**

After holding the public hearing, if the Board of County Commissioners, in its judgment, determines not to name the road as requested by the petitioner or petitioners, then the fee shall be refunded to the petitioner or petitioners.

## **Section 7. Naming Approved**

After the public hearing, if the Board of County Commissioners, in its judgment, decided to name the road as requested by the petitioner or petitioners, as resolution will be adopted stating the name of the road and notice given as provided in N.C.G.S. 153A-239.1.

## **Section 8. New Roads**

In order to ensure compliance with State and local laws, developers of new roads in McDowell County are hereby required to contact the Emergency Medical Services Office or the Tax Mapping Office or the Planning Office prior to recording a new road name on a plat or deed in the Office of the Register of

Deeds. Any new subdivision road name is to be verified by the Tax Mapping Office to ensure that it does not duplicate or is not deceptively similar to any existing road name in McDowell County.

**Section 9. Effective Date**

This Ordinance shall become effective this the 2<sup>nd</sup> day of December, 1996.

Adopted on the 2<sup>nd</sup> day of December, 1996.

s/Dean K. Chapman  
Chairman of the Board of  
Commissioners of  
McDowell County, NC

s/Carrie Padgett  
Clerk to the Board of  
Commissioners  
McDowell County, NC