

STREETS AND SIDEWALKS

GENERAL PROVISIONS

§94.01 BOARD TO APPROVE NEW STREETS.

Before any new street offered for dedication to the town is accepted, and officially recognized as a town-maintained street, the Town Board must give its approval, finding that the street complies with engineering standards set by the Board, and that the best interests of the town would be served by accepting the street as a town street.

EXCAVATIONS; CONSTRUCTION

§94.15 PERMIT REQUIRED; APPLICATION; FEES.

(A) No person shall make any excavation or opening or dig any ditch, trench, tunnel, or hole in, along, across, or under any street, sidewalk, or other public place for the purpose of laying or placing therein any pipe, wires, or poles, or for any other purposes, unless a written permit has been issued by some officer of the town vested with proper authority; provided that a permit shall not be required where the work is performed under a contract with the town, but in the event that work requires a sidewalk or street to be wholly or partially obstructed, the party performing the work shall notify the town at least two hours before obstructing the sidewalk or street, unless prevented by sudden emergency.

(B) All persons desiring a permit to make an opening in any street or sidewalk, as set forth in division (A), shall make written application therefor, which application shall show the location of the proposed opening, the purpose therefor, and the approximate number of square yards of surface to be cut. A fee may be required by the Town Board for the permit.

Penalty, see §10.99

Statutory reference:

Establishment and control over street, see G.S. §160A-296

§94.16 STREETS AND SIDEWALKS TO BE RESTORED.

When any part of any street, sidewalk, alley, or other public place of the town shall be torn or dug up for any purpose, the person making the excavation or opening shall have the duty of refilling the excavation or opening, and the refilling shall be done in accordance with the town standards and specifications.

Penalty, see §10.99

§94.17 EXCAVATIONS TO BE SECURED.

It shall be unlawful for any person, firm, or corporation who obtains a permit under the sections of this subchapter to do any excavation of any kind which may create or cause a dangerous condition in or near any street, alley, sidewalk, or public place without placing and maintaining proper guard rails three feet from the ground and signal lights or other warning at, in, or around the same, sufficient to warn the public of the excavation or work, and to protect all persons using reasonable care, from injuries on account of the

excavation or work.
Penalty, see §10.99

§94.18 TRACTORS OR HARROWS.

It shall be unlawful for any person, firm, or corporation to drag, run, or cause to be dragged or run any harrow or other implement, engine, machine, or tool upon any asphalt or other type of permanently paved street of the town which shall be likely in any way to injure or cut the surface of the street.
Penalty, see §10.99

§94.19 SIDEWALK CONSTRUCTION.

No sidewalk of any description shall be built by any individual, firm, or corporation without a written permit from the town.
Penalty, see §10.99

§94.20 HOUSE MOVING; BOND REQUIRED.

No person shall move any house or building upon or across the public streets or sidewalks without the written consent of the Town Board and the deposit of a good and sufficient bond to cover damage done to any street or sidewalk or any property of any person.
Penalty, see §10.99

§94.21 DAMAGE TO MUNICIPAL PROPERTY.

No person shall injure, tamper with, remove, paint upon, or deface any bridge, culvert, ditch and drain, sign, signpost, street light, traffic signal, bulletin board, or other municipal property upon the streets and sidewalks or elsewhere, except employees of the town in the performance of their duties.
Penalty, see §10.99

§94.22 DRIVEWAYS; PERMIT REQUIRED.

No person shall begin to construct, reconstruct, repair, alter, or grade any driveway on the public streets, unless a written permit therefor has been issued by some officer of the town vested with that authority.
Penalty, see §10.00

OBSTRUCTIONS

§94.35 ASSEMBLY ON STREETS AND SIDEWALKS.

- (A) Except as provided in §§94.50 through 94.57, it shall be unlawful for crowds or assemblages of persons to congregate on the streets or sidewalks of the town in a way so as to unnecessarily interfere with pedestrian or vehicular traffic.
- (B) Any person refusing to disperse upon being so ordered by a police officer shall be guilty of a misdemeanor.

Penalty, see §10.99

§94.36 DISPLAY OF GOODS PROHIBITED.

It shall be unlawful for any person, firm, or corporation to place or set out for exhibition any goods, wares, or merchandise directly connected with the business transacted by him or her, on the public sidewalk in front of a place of business, store, or building owned by him or her.
Penalty, see §10.99

§94.37 CONSTRUCTION NEAR SIDEWALK.

Before building or remodeling at any place in close proximity to a sidewalk, a passageway shall be constructed so as to leave the sidewalk unobstructed and

provide safe and easy passage.
Penalty, see §10.99

§94.38 SHEDS AND AWNINGS.

It shall be unlawful for any person, firm, or corporation to construct or erect, or cause to be constructed or erected, any structure, and particularly any awning or similar structure, over any sidewalk or any part of any sidewalk of the town, unless the structure is at least seven feet above the surface of the sidewalk.

Penalty, see §10.99

§94.39 REPAIR OF MOTOR VEHICLES.

It shall be unlawful for any person, firm, or corporation to repair a motor vehicle on a paved street of the town except in case of emergency.

Penalty, see §10.99

§94.40 GATES OPENING ON STREETS OR SIDEWALKS PROHIBITED.

It shall be unlawful to allow or permit any gate to open upon or otherwise encroach upon any street or sidewalk.

Penalty, see §10.99

PARADES AND DEMONSTRATIONS

§94.50 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BLOCK. The portion of any street lying between its intersections with other streets.

GROUP DEMONSTRATION. Any assembly together or concert of action between or among two or more persons for the purpose of protesting

any matter or of making known any position or promotion of the persons or on behalf of any organization or class of persons or for the purpose of attracting attention of the assembly.

PARADE. Any assemblage of two or more persons participating in or operating any vehicle in any march, ceremony, show, exhibition, or procession of any kind in or upon the public streets, sidewalks, alleys, parks, or other public grounds or places.

PERSON. Any person, firm, corporation, partnership, association, or other organization, whether formal or informal.

PICKET LINE. Any two or more persons formed together for the purpose of making known any position or promotion of the persons, or on behalf of any organization or class of persons.

§94.51 PERMIT REQUIRED; EXCEPTIONS.

(A) It shall be unlawful for any person to organize, conduct, or participate in any parade, picket line, or group demonstration in or upon any street, sidewalk, alley, or other public place within the city unless a permit has been issued in accordance with the provisions of this subchapter.

(B) Sections 94.50 through 94.57 shall not apply to:

- (1) Funeral processions; or
- (2) Any governmental agency acting within the scope of its functions.

Penalty, see §10.99

§94.52 GROUNDS FOR DENIAL OF PERMIT.

The Police Chief shall not issue a permit if he or she finds that:

- (A) The parades, pickets lines, or group demonstrations are to commence before 6 a.m. or terminate after 5 p.m.;
- (B) The parades or group demonstrations are to be held at the same time and place as those designated in a permit issued pursuant to a written application previously received by the Police Chief or his or her designee;
- (C) The conduct of the parade will substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
- (D) The conduct of the parade will require the diversion of so great a number of police officers of the town to properly police the line of movement of the parade and of contiguous areas so that adequate police protection cannot be provided to the remainder of the town;
- (E) The conduct of the parade will require the diversion of so great a number of ambulances so that adequate ambulance service to portions of the town not occupied by the parade and contiguous areas will be prevented;
- (F) The concentration of persons, animals, and vehicles at assembly points of the parade will substantially interfere with adequate fire and police protection of, or ambulance service to, areas contiguous to the assembly areas;
- (G) The conduct of the parade is reasonably likely to result in violence to persons or property causing serious harm to the public;
- (H) The parade is to be held for the primary purposes of advertising a product, good, or event, and is designed to be held primarily for private profit; or
- (I) The conduct of the parade will interfere with the movement of fire-fighting equipment to such an extent that adequate fire protection cannot be provided to the town.

§94.53 REQUIREMENTS AND ISSUANCE OF PERMITS.

- (A) The Police Chief or his or her designee shall issue permits as required in the preceding section.
- (B) In the issuance thereof, he or she shall:
 - (1) Require a written application for permit to be filed not less than 30 days in advance of the parade, picket line, or group demonstration, which application shall specify the time and place for the commencement of any picket line and the time, place, route, and duration of any parade or group demonstration;
 - (2) Require that the application for a permit specify whether or not minors below the age of 18 years will be permitted to participate; and
 - (3) Require that the application for a permit specify, and the permit shall designate, the person or persons in charge of the activity. The person shall be required to accompany the parade picket line, or group demonstration and shall carry the permit with him or her at that time. The permit shall not be valid in the possession of any other person.

Penalty, see §10.99

§94.54 PROHIBITED ACTIVITY.

The following acts or activities, when performed or undertaken in conjunction with or as part of any parade, picket line, or group demonstration, are hereby prohibited and declared unlawful:

- (A) The carrying on or about the person any firearm, or any weapon or article, including but not limited to blackjacks, nightsticks, or flashlights, which by their use might constitute a deadly weapon.
- (B) The taking on or keeping of any dog or other vicious animal, unleashed.

Penalty, see §10.99

§94.55 REVOCATION OF PERMITS.

The Police Chief shall revoke any permit granted for a parade, picketing line, or group demonstration for any of the following causes:

- (A) The violation by an participant of §94.54 of this code; or
- (B) The failure to comply with the terms and conditions of the permit.

the picketing is done; provided the words used are not defamatory in nature, or would not tend to produce violence.

- (D) Pickets must march in single file and not abreast and must not march close than 15 feet, except in passing one another.

Penalty, see §10.99

§94.56 INTERFERENCE PROHIBITED.

No person shall hamper, obstruct, impede, or interfere with any parade, picket line, or group demonstration being conducted under authority of a permit duly issued by the Police Chief.

Penalty, see §10.99

§94.57 PICKETING.

Picket lines and picketing shall be subject to the following additional regulations.

- (A) Picketing may be conducted only on the sidewalks or other areas reserved for pedestrian movement, and may not be conducted on the portion of a street used primarily for vehicular traffic.
- (B) Not more than three pickets promoting the same objective shall be permitted to use either of the two sidewalks within a single block at any time; provided, if pickets promoting different objectives desire to use sidewalks in the same block for picketing and this use would result in the presence of more than three pickets thereon, the Police Chief shall allot time to each group of pickets for the use of sidewalks on an equitable basis, but each group shall be permitted to picket subject to the provisions of this subchapter at least once every two hours.
- (C) Pickets may carry written or printed placards or signs not exceeding two feet in width and two feet in length promoting the objective for which

PROPERTY NUMBERS

§94.70 UNLAWFUL TO DEFACE NUMBERS.

It shall be unlawful for any person to alter, deface, or take down any number placed on any property in accordance with this subchapter, except for repair or replacement of that number.

Penalty, see §10.99

ADDRESSING AND ROAD NAMING

§94.75 PURPOSE.

The purpose of the Town of Cooleemee addressing and road naming ordinance is to provide for the orderly assignment of town addresses; to fulfill the town’s responsibilities between the county and geographic information services (GIS), and to protect the safety and welfare of the general public by facilitating the location of individual dwellings and business by emergency response personnel.

§94.76 SHORT TITLE.

This ordinance shall be known as the “Addressing and Road Naming Ordinance of the Town of Cooleemee, North Carolina”, and may be referred to as “addressing ordinance”, and the map referred to is

identified by the title “Official Road Name and Structure Numbering Map, Town of Cooleemee, North Carolina”, and may be known as the “addressing map”.

§94.77 STREET NAMES CHANGING AUTHORIZED.

The town shall have the authority to change the name of any street within the corporate limits or one mile extraterritorial jurisdiction of the town upon notice published at least once ten days before a public hearing thereon.

§94.78 SAME NEW STREETS.

No new streets shall be named within the corporate limits or the extraterritorial jurisdiction of the town without prior approval of the town. Proposed new street names and the locations therefor shall be submitted to the addressing administrator for review. The addressing administrator shall have the authority to disapprove the proposed name if it conflicts with, or is confusingly similar to, an existing street name in either spelling or pronunciation.

§94.79 TERRITORIAL JURISDICTION.

The road naming and addressing policies set forth in this ordinance shall be applicable to all of the incorporated areas of the town and the area under the town’s extraterritorial planning and zoning jurisdiction.

§94.80 ADDRESSING MAP.

- (A) *Official Road Name and Structure Numbering Map.* The address numbering map shall be entitled “Official Road Name and Structure Map, Town of Cooleemee, North Carolina”. All town addresses assigned shall be assigned in accordance with this map.
- (B) *Maintenance and storage.* The addressing map shall be kept on file in the town planning and zoning department and/or the county GIS office.

This map may be maintained and updated in data processing storage systems.

§94.81 THE NUMBERING SYSTEM.

- (A) *Uniformity of the system.* All roads that are officially designated on the addressing map, whether public or private, shall be numbered uniformly and consecutively along the roadway centerline. Numbers shall be assigned along the entirety of all named thoroughfares.
- (B) *Road naming and numbering criteria.* All roads, both public and private, shall be named, numbered, and have road name signs installed if two or more addressable structures, including mobile homes, are located on and accessed by them.
- (C) *Numbering method.* A pair of numbers, each being either a three, four, or five digit natural number, called a structure number, shall be assigned in intervals of 10.56 feet along a roadway centerline. Odd natural numbers shall be assigned to the left side of the road by ascending numbers moving from the axes or origin point. Even natural numbers shall be assigned to the right side of the road in a like manner.
- (D) *Dead end road.* All dead end roads and cul-de-sacs shall begin with ascending numbers at the open end, that being the end connecting to another road.
- (E) *Numbers begin with 100.* The first potentially assignable structure number on a given road shall be the number one hundred.
- (F) *Existing property numbers.* Existing property numbers shall be maintained, with the exception of those property numbers not in sequence with other properties in the block (e.g. 900 numbers in a 300 Block).

§94.82 ADDRESSING SYSTEM.

- (A) *Method of assigning a number.* Each structure shall be assigned a structure number based on the number of the appropriate segment of the roadway centerline. The structure number shall be determined by the line perpendicular to the road centerline, which intersects the centerline of the driveway leading to the structure. In cases where a structure has a loop driveway or more than one driveway, the structure number shall be assigned to the driveway that best serves the main access to the structure. The number of the centerline segment at the point of perpendicular intersection shall be the number of the structure.
- (B) *Corner lots.* Structures on corner lots shall be assigned a structure number either from the road which intersects the addressable driveway to that structure, or from the road in which the main access or entrance to the structure is oriented. The number will be assigned using the method in (A) above and will be assigned in the manner as determined by the addressing administrator.
- (C) *Road name of address.* The road name for an address shall be the name of the road from which the structure is numbered.
- (D) *Requirements for road naming and numbering.* If development on a private road exceeds the minimum structure regulation contained in §94.81(B), said road shall be named and numbered and structures readdressed according to the requirements herein.
- (E) *Duplex and multi-family dwellings.* One structure number shall be assigned to each structure whose units share a common roof on the same lot of record. Each unit within the structure shall be assigned a unit descriptor. Allowed unit descriptors include apartment number for each apartment, and numbers for commercial buildings. The unit descriptor shall be a number, and shall not include alphabetic characters, except as stated in (F) below. This section specifically applies to multi-family dwellings.

- (F) *Assigning of unit designators.* Residential unit descriptors shall be as follows:

- (1) Ground-level floor numbers #101, #102, #103, ... etc.
- (2) Second floor numbers #201, #202, #203, ... etc.

All floor levels are to follow this scheme. Underground floor designators shall follow the same scheme with the exception of having a "U" for a prefix, for example, #U101, #U102, ... etc.

Unit designators shall be assigned in a logical manner, with increasing unit numbers corresponding to increasing road centerline numbering wherever possible.

- (G) *Mobile homes.* Manufactured housing or mobile homes shall be assigned individual street addresses according to the requirements herein, whether they are located on individual lots or in developments or parks.
- (H) *Recreational or resort communities.* Resort communities or recreational developments that have established dwelling sites (seasonal or other) with electrical power hookups shall be assigned individual street addresses in accordance with the requirements herein.

§94.83 POSTING REQUIREMENTS FOR STRUCTURE.

- (A) *Time constraints.* Within ninety days after written notification of the assignment of or change of a structure number, the owner of said structure shall post the assigned structure number in compliance with the requirements herein.
- (B) *Number specifications.* All structure numbers shall be constructed of a durable material. The color shall contrast with the color scheme of the structure, and if mounted on glass, shall contrast with the background and be clearly visible.

The minimum number size for residential structures or units shall be four (4) inches in height.

The minimum size for all other structure numbers shall be six (6) inches in height. In all cases, a number size larger than the minimum may be required where the minimum size does not provide adequate identification.

- (C) *Posting locations.* For single-family residential or duplex structures, the structure number shall be posted and maintained within a three feet perimeter of the front entrance of the structure, in a location visible and readable from the road. For all other structures, the structure number shall be posed on a building face most readily visible from the road from which the number is assigned. Unit designators shall be posted at each unit within a three feet perimeter of the front entrance of the unit.

In the event that a structure or its posted number is not visible from the road which its number is assigned, the assigned structure number shall also be posted on the property adjacent to the road. This number shall be located at the primary driveway access point.

In all cases, the structure number shall be clearly displayed in such a way that the structure number can be easily identified from the street or road during both day and night.

- (D) *Maintenance of structure numbers.* Following the posting of the assigned number as required herein, the owner shall maintain the structure number at all times in compliance with the requirements of this article. Structure numbers and unit designators, as viewed from the road, shall not be obstructed from view.

§94.84 ROAD NAMING.

- (A) *Approval of names.* The addressing administrator shall have authority to approve road names within the town and in the unincorporated areas of the county under the town's extraterritorial jurisdiction, subject to the requirements of this article.

- (B) *Deceptively similar names.* The addressing administrator shall maintain a database of existing road names, such that duplicate or "deceptively similar" road names are neither approved nor assigned.

- (C) *New road names.* New road names that relate to the history, location, or scale of a project area, shall be given consideration.

- (D) *Desirable names.* Road names that are pleasant sounding, appropriate, easy to read, and add pride to home ownership, shall be promoted.

- (E) *Undesirable names.* The following kinds of names shall be avoided: numerical, alphabetical, complicated names, and names which tend to offend the community. The addressing administrator is hereby given authority to refuse to accept any road name which in his/her opinion violates the provisions of the section.

- (F) *Suffixes.*

- The following road name suffixes are allowed: Avenue (AVE), Boulevard (BLVD), Circle (CIR), Court (CT), Drive (DR), Highway (HWY), Lane (LN), Loop (LP), Parkway (PKWY), Place (PL), Road (RD), Street (ST), Trail (TRL), and Way.
- Private roads shall be assigned the suffixes "Trail", "Lane", or "Way". All other suffixes shall be reserved for public roads.

- (G) *Road segments.* Each road shall bear the same name and uniform numbering along the entirety of the road. Segments of roads shall not be allowed to have different or separate names. The addressing administrator shall determine what constitutes a road or way.

- (H) *Offset intersections and split routes.* Split routes, also known as "dog-leg" or offset intersections, shall be treated as separate roads with different names and numbering to preserve the integrity and continuity of the numbering system.

- (I) *Impasses.* Impasses or sections of a road that are impassable shall be assigned different names and numbering to each portion of the road on either side of the impasse to preserve the integrity and continuity of the numbering system.
- (J) *Existing road names.* The addressing administrator shall, whenever possible, consistent with the provisions of this article, retain road names already established.

§94.85 ROAD NAME SIGNS AND STANDARDS.

- (A) *Installation and maintenance.* All public and private road name signs required by this article shall be installed and maintained by the Town of Cooleemee Public Works Department.
- (B) *Sign Standards.* Road name signs shall meet the following standards:
 - (1) All road name signs shall be a six (6) inch vertical dimension sign.
 - (2) Road name signs or “blades” shall be made of reflective green sheeting with the road name in reflective silver letters on both sides.
 - (3) In residential districts, at least one road name sign shall be mounted at each intersection.
 - (4) On major arterials (US, NC, and SR 1000 series routes), road name signs shall be placed on diagonally opposite corners so that they will be on the far right side of the intersection for traffic on the major road. Signs naming both roads shall be erected at each location. They shall be mounted with their faces parallel to the roads they name.
 - (5) Road name signs shall be placed at least two (2) feet behind the face of a curb with a minimum clearance of seven feet from the bottom of the sign to the projected edge of pavement. If there is no curb and gutter,

the signs shall be placed behind the ditch line, out of the maintenance area. The lateral clearance from the road’s edge should be six (6) feet.

- (6) Whenever physical conditions permit, signs shall be located on the right-hand side of the road as one approaches the intersection.
- (7) Signs shall be located to optimize night-time visibility.
- (8) Signs shall be set in the center of the turning radius in such a way as to be visible from both intersecting roads.
- (9) Signs shall be placed across the ditch line and shall not block regulatory or warning signs.
- (10) Signs shall be located in conformance with safety factors related to fixed obstacles near the roadway.
- (C) *Existing road signs.* The addressing administrator shall retain existing road signs already in place, except for those signs which are inconsistent with the provisions of the ordinance, and substantially affect the purposes sought to be carried out by this ordinance.

§94.86 ADMINISTRATION.

- (A) *Addressing administrator and responsibilities.*
 - (1) Davie County is hereby given authority to administer and assign town addresses and to enforce the provisions of this ordinance.
 - (2) Interpretation and appeal of this ordinance shall be accomplished by the Board of Planning and Adjustment.
- (B) *Applications and petitions.* The addressing administrator shall accept and examine all applications, road naming petitions, signage variances and initial appeals.
- (C) *Petitioning for a road name.* Roads not eligible for naming, by means of this ordinance, may

be named by submitting a petition signed by all of the landowners along the road, and upon approval by the addressing administrator.

- (D) *Building permits.* No building permit shall be issued for any building or structure until the owner or developer has been issued a structure number with a corresponding road name from the addressing administrator.
- (E) *Certificate of occupancy.* Final approval for a certificate of occupancy of any structure or building erected or repaired after the effective date of this ordinance shall be withheld until permanent and proper structure numbers have been posted in accordance with requirements herein.
- (F) *Procedure upon denial.* Any person denied a request directed to the addressing administrator may protest as provided in §94.87(D).

§94.87 AMENDMENTS.

- (A) *General.* The Town Board of Commissioners may, from time to time, on its own motion or on petition, after public notice and a hearing, as provided by this ordinance, amend, supplement, change, modify, or repeal the addressing regulations and assignments.
- (B) *Public notification requirements.* Before adopting or amending this ordinance, the Town Board of Commissioners shall conduct a public hearing on the proposal.
- (C) *Letter of notification.* Whenever there is a proposal for a change in the addressing system involving any portion of an address, the landowner(s) of the parcel(s) as shown on the County tax listings shall be mailed a notice of the proposed change in the address system. The notice shall be mailed by first class mail to the last address listed of the landowners according to the County tax listings.
- (D) *Application for amendment.*

- (1) Applications for an amendment to the addressing ordinance shall be filed with the addressing administrator at least 20 days prior to the date of public hearing. Each application shall be signed, be in duplicated form, and shall contain the following:
 - (a) The applicant's name and address in full.
 - (b) In the case of an amendment, it shall set forth the new text to be added and the existing text to be deleted and any other text changes that will have to be made as a result of the effect on the remaining articles, sections, definitions, diagrams or attachments.
 - (c) If the proposed amendment will change the addressing map, a copy of the addressing map shall be marked to indicate the impact of the proposed amendment to the existing map and shall be presented with the application for amendment.
- (2) A public hearing shall be held by the Town Board of Commissioners before the adoption of any proposed amendments to the addressing ordinance. When the Town Board of Commissioners shall have denied the application for the change of a portion or matter of the addressing ordinance, it shall not thereafter accept any other application for the same change involving that portion or matter of the ordinance until the expiration of six months from the date of such previous denial.

§94.88 LEGAL STATUS PROVISIONS.

- (A) It shall be unlawful for any person to use or display a different address or portion thereof except as provided by this ordinance or the "Official Road Name and Structure Numbering Map, Town of Cooleemee, North Carolina".
- (B) 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, except as provided by this ordinance.

- (C) It shall be unlawful for any person to establish or erect any road sign that does not comply with the standards set forth in this ordinance.
- (D) It shall be unlawful for any person to intentionally destroy, mar, or deface any town road name sign.
- (E) Punishment for violations provided for in this article shall be as set forth in §94.89 below.

§94.89 VIOLATIONS AND ENFORCEMENT.

- (A) *Posting structure numbers.*
 - (1) Violation of this ordinance is a misdemeanor as provided by N.C.G.S. 14-4 and may be punished as provided therein.
 - (2) Civil penalties may be imposed in accordance with the following procedure:
 - (a) Initial notification of violation, in writing by first class mail, to the last known address of the person to be notified.
 - (b) If not corrected within 10 days, a warning citation may be issued.
 - (c) If not corrected within seven (7) days of issuance of a warning citation, a second citation including a fine of 25 dollars may be issued.
 - (d) Each day the violation continues shall constitute a separate violation of this ordinance.
- (B) *Notification of violation.*
 - (1) Notification shall be issued by the addressing administrator or his designee; and
 - (2) Notification shall be in writing, directed to the name and address of the owner of the structure by certified mail return receipt; and

(3) Notification shall set forth the action necessary for the offender to be in compliance with this ordinance.

- (C) *Road name signs.* Violations of §94.89 of this ordinance shall be punishable by maximum fines of up to \$250 for each violation.
- (D) *Legal prosecution.* Nothing herein contained shall prevent the Town of Cooleemee from taking other such lawful action as is necessary to prevent or remedy any violation.

§94.90 APPEALS AND REQUESTS FOR VARIANCE.

Road naming appeals and appeals for signage variance, shall adhere to the procedures below:

- (A) Applications for appeal shall be in writing, and directed to the Board of Planning and Adjustment and follow procedures as set forth in the Town of Cooleemee Zoning Ordinance;
- (B) Applications shall be dated and should describe the reasons for the appeal; and
- (C) Applications shall clearly state that all property owners along said road are aware that any road sign posting variance may hinder emergency response personnel in their efforts to locate a particular address and shall contain the signatures of all the property owners along said road.

§94.91 DEFINITIONS.

As used in this article, the following terms shall have the respective meanings ascribed to them:

AVENUE (AVE). A major road that runs generally in an east/west direction.

BOARD OF COMMISSIONERS. Means the Town of Cooleemee Board of Commissioners.

BOULEVARD (BLVD). An unusually wide street typically in residential areas; often with a central, dividing medium.

CIRCLE (CIR). A short road that returns to itself.

COURT (CT). A dead end right-of-way often ending as a cul-de-sac.

DRIVE (DR). A curving secondary road.

HIGHWAY (HWY). A designated state or federal highway.

INTERSTATE (I-#). A thoroughfare of the highest order and federally designated as an interstate.

LANE (LN). A short private road that branches off of another road and ends or connects to another secondary road.

LOOP (LP). A short road that starts and ends on the same street or road.

PARKWAY (PKWY). A special scenic route or park drive.

PLACE (PL). A cul-de-sac or permanent dead end road.

PRIVATE ROAD. Any road which is not maintained by a governmental entity or agency through the use of public funds. Road name suffixes for private roads include: Trail, Lane, and Way.

PUBLIC ROAD. Any road which is maintained by a governmental entity or agency through the use of public funds.

RADIO/COMMUNICATIONS SERVICES. Includes any radio communications, transmissions, dispatching or future enhanced 911 communications that may involve police, emergency, fire, or rescue operations, but are not limited to these aforesaid operations.

ROAD (RD). A well-traveled secondary road often connecting with a U.S. or state primary highway.

STREET (ST). A major road that runs general in a north/south direction.

STREET ADDRESS. A unique identifier for each addressable structure within the town. The minimum adequate street address shall be defined as the assigned structure number and the officially adopted road name. Where required by this ordinance, the street address shall also include the assigned unit designator.

STRUCTURE. Any building, whether residential, commercial, industrial, or institutional in nature and use.

STRUCTURE NUMBER. The numerical portion of the street address, as assigned by the ordinance administrator or his designee, in accordance with the Official Road Name and Structure Numbering Map of the Town of Cooleemee, North Carolina.

THOROUGHFARE. A general all-inclusive term for roads (public or private) street, drive, cartway, easement, right-of-way, or any other word or words that means a way of access.

TRAIL (TR). A local, private road that serves as a connector for larger roads.

UNIT DESIGNATOR. The portion of the street address used to distinguish individual units within the same structure.

WAY (WAY). A minor private road that begins and ends on the same road.

§94.92 CLOSING PROVISIONS.

- (A) *Conflict with other laws.* All other ordinances or parts of ordinances not specifically in conflict herewith are continued in force and effect, but all such ordinances or parts of ordinances in conflict herewith are hereby repealed. Where the provisions of this ordinance are more stringent or more restrictive than those imposed by any other applicable law or regulation, the more stringent or restrictive provisions shall apply.

(B) *Severability.* Should any section, subsection, sentence, clause, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of Competent Jurisdiction, such decision shall not affect the validity of the ordinance in its entirety or of any part thereof other than that so declared to be unconstitutional or invalid.

§94.93 EFFECTIVE DATE.

This ordinance shall take effect and be in force from and after its adoption. Duly adopted by the Board of Commissioners, Town of Cooleemee, North Carolina, this 21st day of February, 2006.