

ORDINANCE 14-15-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, AMENDING DIVISION 3 OF ARTICLE II OF CHAPTER 9, OF THE CODE OF ORDINANCES, HIGHLANDS COUNTY, FLORIDA; PROVIDING FOR UNIFORM STREET ADDRESSING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners was regularly assembled on _____, 2015; and

WHEREAS, the provisions of Division 3 of Article II of Chapter 9 of the Code of Ordinances, Highlands County, Florida, are outdated and in need of amendment; and

WHEREAS, use of a uniform street addressing system promotes the health, safety, and welfare of the citizens, residents, and property owners in the county.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, after due notice and public hearing, that:

SECTION 1. Amended and Adopted. Division 3 of Article II of Chapter 9 of the Code of Ordinances, Highlands County, Florida, is hereby amended and adopted to read as follows:

DIVISION 3. - UNIFORM STREET ADDRESSING SYSTEM.

Sec. 9-31. Authority and purpose.

- (a) This division is adopted pursuant to the Home Rule Power of the county for the purpose of providing uniform street name signs and a uniform street addressing system for buildings and structures on public and private streets in the unincorporated and incorporated areas of Highlands County, Florida.
- (b) When a street signage or addressing situation arises that is not covered in this division, National Emergency Number Association Standards shall apply.

Sec. 9-32. Definitions.

For the purpose of this division, the following terms, phrases, and words shall have the meanings given herein unless the context indicates otherwise:

- (a) *Accessory building* - A building which is clearly incidental or subordinate to and customary in connection with the principal building and which is located on the same lot as the principal building.
- (b) *Address* - A designation of the location of a person's residence or workplace, an organization, or a building, consisting of numerical and text elements such as a street number, street name, and city arranged in a particular format.

- (c) *Board* - Highlands County Board of County Commissioners.
- (d) *Building* - Any permanent structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind, including residential, commercial and industrial buildings, but excluding accessory buildings.
- (e) *Building front* - That area of the building which faces the public or private street by which the building was numbered.
- (f) *Code* – The Code of Ordinances, Highlands County, Florida.
- (g) *Commercial* - Activities which are predominately connected with the sale, rental, and distribution of products or the performance of services.
- (h) *County* – Highlands County, a political subdivision of the State of Florida.
- (i) *Database table* - A structured collection of records or data that is stored in a computer system.
- (j) *Duplex* - A building having two dwelling units separated by a common wall.
- (k) *Feature Class* - A collection of geographic features with the same geometry type (such as point, line, or polygon), the same attributes, and the same spatial reference stored in a geographic database or other data formats.
- (l) *Geographical Information System or GIS* - An integrated collection of computer software and data used to view and manage information about geographic places, analyze spatial relationships, and model spatial processes.
- (m) *Master Street Address Guide or MSAG* – The master collection of addresses used by the county for the dispatch of emergency first responders. Each of those addresses is an absolute and unique address in that variants for directions, street spelling, street suffixes, and community names are not allowed. It is preferred that MSAG addresses be in the Civic Address format.
- (n) *National Emergency Number Association or NENA* – The 911 Association that is focused on 911 policy, technology, operations, and education issues.
- (o) *Occupant* - Any person, corporation, association, partnership, trust, organization or other entity, other than the owner, who is occupying or leasing the property for a period exceeding 30 days.
- (p) *Owner* - Any and all persons, corporations, associations, partnerships, trusts, organizations or other entities that own the fee title to the property in question or have an undivided interest therein are, collectively, the owner of the property.
- (q) *Private Street or Road* - Any thoroughfare used for vehicular traffic which is not a public street, including, but not be limited to, roadways in apartment, condominium or office complexes.
- (r) *Public Street or Road* - The area of the public right-of-way either paved or unpaved which is intended for vehicular traffic, excluding service entrances and driveways.
- (s) *Quadruplex or Fourplex* - A building having four dwelling units separated by common walls.

- (t) *Residence* - Any building or part thereof, designed for occupancy in whole or in part as the dwelling or living quarters of one or more persons permanently or temporarily, continuously or transiently, containing living, sleeping, housekeeping and cooking accommodations, and sanitary facilities.
- (u) *Roadway* – A street or road that provides vehicle access to more than one lot of record or access to any industrial or commercial occupancy or provides vehicle access to two or more parcels with more than four structures or two or more residential units having electrical and/or telephone service.
 - (1) *Private Roadway* - A street or road used for vehicular traffic for ingress and/or egress that serves two (2) or more dwellings, is not maintained with governmental funds, and is not a public roadway.
 - (2) *Public Roadway* - The area of the public right-of-way either paved or unpaved which is intended for vehicular traffic, excluding service entrances and driveways, and is maintained using public funds of any governmental entity or agency.
- (v) *Shall* - Used to express what is mandatory.
- (w) *Shopping Center* - A building or set of buildings that contain a variety of retail units, with interconnecting walkways.
- (x) *Subdivision* - A tract or parcel of land divided into two (2) or more lots or building sites for the purpose of sale or building development (whether immediate or future).
- (y) *Triplex* - A building having three dwelling units separated by common walls.

Sec. 9-33. Roles and Responsibilities

- (a) The County Engineer or his or her designee shall:
 - (1) Coordinate with the E-911 Coordinator on roadway names, address updates, and changes prior to issuing roadway names or address.
 - (2) Verify addresses on all building permits and development orders.
 - (3) Maintain the County GIS address point feature class.
 - (4) Coordinate with the Property Appraiser’s Office on site addresses.
 - (5) Notify Post Offices, Highlands County Supervisor of Elections, and municipalities of address changes.
 - (6) Resolve roadway naming and address conflicts with residents in coordination with E-911 Coordinator.
 - (7) Process name and address applications.
- (b) The County Engineering Department through the “street centerline custodian” program shall maintain the County GIS street feature class of all roads, trails, and bikeways within the county including unincorporated, incorporated, public, and private areas for emergency response and addressing purposes.

- (c) The E-911 Coordinator or his or her designee shall maintain the county MSAG which includes the county GIS street name database table and the county GIS address range database table.

Sec. 9-34. Naming Unnamed Roadways.

- (a) Except as provided in this section, no person may designate, by posted sign or otherwise, a name for an unnamed public or private road.
- (b) All public and private road names shall be assigned in accordance with the provisions of Section 6 of the Highlands County Technical Standards Manual.
- (c) The names proposed for unnamed public and private roads shall be compared with the county MSAG and the county GIS street name database to ensure no duplication.
- (d) All road names for unnamed public roads shall be approved by the County Engineer, in coordination with the E-911 Coordinator, subject to ratification by the governing body having jurisdiction of the road.
- (e) The property owners whose property abuts an unnamed private road shall submit to the Addressing Division of the County Engineering Department a Private Roadway Naming Petition, in the form promulgated in the Highlands County Technical Standards Manual, with three (3) proposed names for their private roadway. A minimum of seventy percent (70%) of those property owners must sign the petition. In the event that all of the proposed names are in use, the property owner(s) whose property abuts that unnamed private road may submit other names for consideration by written instrument signed by at least seventy percent (70%) of those property owners.
- (f) The County Engineer shall conditionally approve a road name for an unnamed private road and notify the designated contact person for the property owners of the conditionally approved road name and the total cost of manufacture and installation of the required sign(s) that must be paid by the property owners to the county prior to the road name being official. The conditionally approved road name will become official when that payment is received by the county.

Sec. 9-35. Renaming Roadways

Property owners who want to have the name of a public or private road changed shall submit to the Addressing Division of the County Engineering Department a Roadway Renaming Petition in the form provided in the Highlands County Technical Standards Manual. A minimum of seventy percent (70%) of the property owners whose property abuts the road must sign the petition. The County Engineer or his or her designee and the E-911 Coordinator shall make recommendations to the governing body having jurisdiction of the road, which shall approve or deny the petition in accordance with the provisions of Section 6 of the Highlands County Technical Standards Manual. The road name change will not become official until payment is received by the county for the manufacture and installation of the required sign(s) by the county.

Sec. 9-36. Renaming for Public Safety

The E-911 Coordinator or the Addressing Division of the County Engineering Department may request that a road be renamed at any time to protect public safety. A Public Safety Renaming Petition in the form provided in the Highlands County Technical Standards Manual shall be submitted to the County Engineer for approval. No fee will be charged to rename a road for public safety purposes and the required roadway signs will be manufactured and installed by the county.

Sec. 9-37. Honorary Roadways

An “honorary roadway designation” shall be requested by submitting to the Addressing Division of the County Engineer’s Office a Honorary Roadway Petition in the form provided in the Highlands County Technical Standards Manual. The County Engineer or his or her designee and the E-911 Coordinator shall make recommendations regarding the requested designation to the governing body having jurisdiction of the roadway. Roadways having an honorary designation may not necessarily be officially renamed and can have an Honorary Street Designation and a separate sign with the honorary designation. The honorary roadway designation sign shall be placed in a prominent location along the right-of-way of the roadway having the honorary designation.

Sec. 9-38. Street signs.

- (a) The county shall install street signs on all county-maintained streets.
- (b) The county shall install street signs at the intersection of county-maintained streets and all non-county-maintained public streets if at least one residence is served on the non-county-maintained public street.
- (c) The developer or, if none, the property owners association or, if none, property owners whose property abuts the street shall install street signs on all private streets that serve at least one residence within a development.
- (d) All street signs shall conform to the street name approved by the County Engineer or the governing body having jurisdiction of the street.

Sec. 9-39. Assignment of building numbers.

- (a) The County Engineer or his or her designee shall be responsible for issuing all new building numbers in conformity with the numbering system being used in that area.
- (b) The County Engineer or his or her designee may investigate and inspect existing building numbers to ensure compliance with this division and shall also be responsible for giving notice to owners and occupants whose current property addresses conflict with the adopted numbering system.

Sec. 9-40. Posting of numbers on buildings.

All buildings shall have the assigned building number properly displayed whether or not mail is delivered to the building. The posting of the building number shall be the responsibility of both the owner and occupant of the building and shall comply with Section 6 of the Highlands County Technical Standards Manual.

- (a) The numbering of all existing buildings shall be brought into compliance with this division within thirty (30) days after notice is given to the owner and occupant of the building's noncompliance with this division.
- (b) A property owner shall have the responsibility for contacting the County Engineering Department to determine the correct building number or numbers to be assigned to all buildings located or constructed on property located in the county. The owner shall post the building number in accordance with this division prior to the building's occupancy. A certificate of occupancy shall not be requested or issued until the County Engineer or his or her designee has verified that the building has been properly numbered in accordance with this division.

- (c) The owner shall remove any incorrect number or road name from a building and other real property that might reasonably be mistaken for, or be confused with, the assigned number and road name.
- (d) Marquee or roadside signs of commercial property shall display the primary address of the building to be clearly viewed from both directions.

Sec. 9-41. New Construction, Subdivision or Development

All new construction and subdivisions shall be named and numbered in accordance with the provisions of this division as follows:

- (a) New Construction - Whenever any residence or other structure is constructed it shall be the duty of the contractor to obtain an assigned number from the Addressing Division of the County Engineering Department. This shall be done prior to the issuance of a building permit by the Highlands County Building Department or municipality.
- (b) New Subdivision or Commercial, Industrial or Multi-Family Development – The developer shall provide to the County Engineering Department a proposed street name on the preliminary plat application or site plan. As part of the review process the Addressing Division of the County Engineering Department and the E-911 Coordinator shall establish street naming and addressing. Approval of the street naming and addressing scheme is part of the site plan or plat approval process established by the County Engineering Department.
- (c) The developer shall furnish and install all approved street name signs according to the Highlands County Technical Standards Manual.

Sec. 9-42. Change of address.

The following regulations are established for the notification of change of address:

- (a) Where the existing building number does not conform to the requirements of this division, the County Engineer or his or her designee shall provide a change of address notice to the property owner and occupant of the building. A building number shall be considered nonconforming if it does not conform with Section 6 of the Highlands County Technical Standards Manual.
- (b) A change of address notice shall contain the following:
 - (1) The correct building number and requirement that the property owner and occupant of the building post the number in accordance with the requirements of this division within thirty (30) days after the date of the notice.
 - (2) The name of the person notified.
 - (3) The date of the notice.
- (c) Within thirty (30) days after the date of the notice of change of address, the property owner and occupant of the building shall conform the building number to the requirements of this division.

Sec. 9-43. Appeals.

- (a) If any property owner or occupant of a building is aggrieved by the County Engineer's determination of street address, the property owner or occupant of the building shall have the

right to request a review of such determination by filing a written request for review with the County Engineering Department within thirty (30) days after the date of the notice of change of address issued by the County Engineer.

- (b) The County Engineer shall review his or her determination and notify the property owner and occupant of the building of his or her determination, in writing, within thirty (30) days after the filing of the request for review.
- (c) The property owner and occupant of the building shall comply with the County Engineer's determination, unless within fifteen (15) days after the date of that determination, the property owner or occupant of the building files a written request for review with the County Administrator or the City Administrator/City Manager of the County, City or Town having jurisdiction of the request for review.
- (d) The County Administrator or City Administrator/City Manager of the County, City or Town having jurisdiction of the street shall review, decide, and notify the property owner and occupant of the building of his or her determination, in writing, within fifteen (15) days after the filing of the request for review.
- (e) The County Administrator's or City Administrator/City Manager's decision shall be final.

Sec. 9-44. Enforcement.

Violations of this division shall be punishable as a Class I violation as provided in sections 2-381 and 2-382 of the Code. The Board may seek whatever remedy, whether in law or in equity, is available to it to enforce the provisions of this division. If the numbering of a building or buildings is not brought into compliance with this division within thirty (30) days from the date of the notice of change of address issued by the County Engineer, notice of such failure shall also be given to the Code Enforcement Office.

Sec. 9-45. Schedule of Fees and Charges.

The Board may establish or amend from time to time by resolution a schedule of fees, charges, and expenses and a collection procedure for administration of this division, including the services of county staff. Those fees, charges, and expenses shall be paid by the applicant to the county at such time or times as payment is required by the County.

Sec. 9-46 - 9-50. Reserved.

SECTION 2. SEVERABILITY. The divisions, sections, subsections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, subsection, section, or divisions of this ordinance shall be declared invalid, unconstitutional or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such invalidity, unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, sections, and divisions of this ordinance.

SECTION 3. INCLUSION IN THE CODE. When the text of this Ordinance is published for inclusion in the Code of Ordinances, Highlands County, Florida, the text marked for deletion by strike-through text shall be deleted and the additions appearing as underlined, double underlined, or highlighted shall be amended so that the text of the Code shall be as amended rather than in the legislative format used in this Ordinance to highlight the changes being made.

SECTION 4. CONFLICT. Any ordinance or part thereof in conflict with this Ordinance or any part hereof is hereby repealed to the extent of the conflict.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon filing with the Department of State.

DONE AND ADOPTED this ____ day of _____, 2015.

BOARD OF COUNTY COMMISSIONERS
OF HIGHLANDS COUNTY, FLORIDA

(SEAL)

BY: _____
William R. Handley, Chairman

ATTEST:

By: _____
Robert W. Germaine, Clerk