

AN ORDINANCE TO ESTABLISH A PROCEDURE FOR CHANGING OR AMENDING ROAD NAMES FOR MCDOWELL COUNTY, NORTH CAROLINA

WHEREAS, the Board of Commissioners for McDowell County, North Carolina, desire to adopt an ordinance to establish a procedure for changing or amending road names for all of the public roads within McDowell County, and not within a city, under the provisions of North Carolina General Statute 153A-240;

WHEREAS, the Board of Commissioners for McDowell County, North Carolina, realizes that to change or amend road names would require the expenditure of funds for such things as new road signs, legal advertising and notification of property owners;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of McDowell County that the road names in McDowell County, North Carolina, not within a city, may be changed or amended upon compliance with the following sections of this Ordinance:

Section 1. Written Petition

Any person or persons desiring to change the name of a public 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, stating specifically the State Road Number and the current name of the road, and the name to which the petitioners desire to have the road name changed. The petition shall have been signed by at least 51% of the property owners on the road and the signatures shall have been witnessed. The proposed name shall not duplicate or be deceptively similar to the name of any other public road in McDowell County in accordance with N.C.G.S. 153A-240.

Section 2. Estimated Costs

Upon the filing of a petition as set forth in Section 1, the County Manager, or his designee, shall make and estimate as to the costs which the County will incur if the name of said road is changed. In making said estimate, the County Manager shall take into consideration all costs which the County will incur, including, but not limited to, the following: the cost of road signs, the number of road signs required to be replaced, the labor and transportation costs for replacing said signs, the cost of legal advertisements as required by North Carolina General Statute 153A-240.

Section 3. Payment of Estimated Costs

Prior to submitting a petition for change of road name to the Board of Commissioners of McDowell County, the County Manager shall collect from the petitioner or petitioners the entire estimated costs of changing the road name as established in Section 2 above.

Section 4. Public Hearing

Upon the payment of the estimated costs, the County Manager shall submit to the Board of County Commissioners the written petition presented under Section 1 above, and the said Board of County Commissioners shall hold a public hearing as set forth in North Carolina General Statute 153A-240.

Section 5. Refund of Unused Estimated Costs

After holding the public hearing, if the Board of County Commissioners, in its judgment, determines not to change the name of the road as requested by the petitioner or petitioners, then all of the estimated costs not expended for advertising shall be refunded to the petitioner or petitioners.

Section 6. Change of Name

After the public hearing, if the Board of County Commissioners, in its judgment, decides to rename the road as requested by the petitioner or petitioners, the name shall be changed and notice given as provided by North Carolina General Statute 153A-240.

Section 7. Effective Date

This Ordinance shall become effective on this the 5th day of January, 1987.

Adopted on the 5th day of January, 1987.

s/Glenn Spaulding
Chairman
Board of Commissioners of
McDowell County, NC

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