

ORDINANCE NO. 02-03-21.11C

RELATING TO ADDRESSING, PUBLIC SAFETY, EMERGENCY SERVICE, ROAD NAMES, STREET SIGNS, ROAD MAPS AND PENALTIES.

BE IT ENACTED BY THE COUNTY COMMISSION OF SANDOVAL COUNTY:

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Section 1 Short Title

This Ordinance may be cited as the " Addressing Ordinance".

Section 2 Enactment and Effective Date

The effective date of this amended Sandoval County Addressing Ordinance shall be thirty (30) days after this Ordinance has been recorded in the County Clerk’s Book kept by the County Clerk for that purpose.

Section 3 Conflicting Provisions

Where there exists a conflict between any limitation or requirement in the Ordinance and any applicable limitation or requirement contained elsewhere in this Ordinance or in any other Ordinance, regulation, or law, the more restrictive limitation or requirement shall prevail.

Section 4 Purpose

The purpose of this ordinance is to provide for uniformity in street names and addresses, and to facilitate emergency vehicle response by establishing a uniform system for street names and address numbers, street name standards, display standards, and official address maps, and by eliminating nonconforming street names and addresses in Sandoval County, New Mexico. **ORDINANCE No. 97-01-17-7B, entitled “Sandoval County 911 Numbering/Rural Addressing Ordinance” is hereby repealed.**

Section 5 Authority

- A. The Director of the Planning and Zoning Department or authorized representative shall be designated as Addresser and shall be responsible for the administration of these Ordinance standards. This Ordinance shall be administered such that the standards herein protect the health, safety, and welfare of County residents and support orderly development in accordance with the Comprehensive Plan and other adopted land use plans, Zoning Ordinance and Subdivision Ordinance of the County.
- B. These standards shall regulate all lots, parcels, buildings, occupant identifiers and streets within the unincorporated areas of the County and those incorporated areas and tribal lands included by intergovernmental agreement.
- C. Only the Addresser may assign, approve or change, or delete an address.
- D. The Addresser shall ensure that he/she receives the most up-to-date maps showing each assigned address for subdivided land and un-subdivided parcels from the GIS / Mapping Departments of the Sandoval County.
- E. The Addresser shall ensure that he/she is provided with a copy of the index of the master street address guide also known as MSAG from the local telephone company Data Base Centers.

Section 6 Application of Ordinance

- A. Any person, firm, corporations, and other legal entities constructing new structures or locating or relocating mobile homes shall request an address or a change of address from the Addresser and shall provide the information required by these Ordinance.
- B. No utility company operating in Sandoval County, shall furnish utility service(s) to any new structure, mobile or manufactured home; including a mobile/manufactured home that is moved from one location to another, until it has been issued a valid address and provided a utility authorization from the Addresser. For the purposes of this, a “new structure” is defined as a commercial building, house or apartment, newly constructed, being occupied by the applicant or other persons for the first time and that will require an installation visit to obtain service.
- C. The subscriber will be required to provide a utility authorization from Sandoval County to ensure that the proper address requirements have been met.
- D. Approval by the Addresser shall constitute the assignment of road names and/or numbers to the lots in the subdivision.

Section 7 Addressing

- A. A copy of the latest edition of the NENA (National Emergency Number Association) Addressing Systems is available for viewing at the Addresser’s office during regular business hours. The standards within this publication may be used as a guide by the Addresser in making administrative decisions regarding this Ordinance.
- B. All properties shall be numbered in 52.8 foot intervals, regardless of whether or not a structure is at every interval. (The system will produce approximately 100 addresses per mile). At the discretion of the Addresser, the interval may be amended in order to accommodate a higher density of structures.
- C. From the street beginning point, Odd numbers shall be assigned to structures on the right side of the road, and even numbers to the left side. This shall be applied in all sections of Sandoval County unless a community has been previously numbered in the opposite fashion.
- D. Subdivisions that are approved by the County are still required to be addressed, as determined by the Addresser.

- E. Once the address has been assigned, it shall be placed in a manner that is highly visible from the primary access to the property, and made of a material which is highly reflective, or illuminated from above, so as to be seen clearly at night.

- F. Route Identification. The route identifier hierarchy is:
 - 1. Interstate Routes
 - 2. U.S. Routes
 - 3. State Routes
 - 4. County Roads
 - 5. Municipal Roads
 - 6. Private Roads / Drives

- G. Starting Point. The addressing starting point for state highways shall be according to the existing markers. All roads that provide access to one or more buildings shall begin at the point where they branch from another road. If any road loops and both ends are accessed from the same road, the starting point shall be at the lower numbered end of the access road. The NENA Addressing Systems shall be used as a reference for the numbering technique of Cul-de-sacs, trailer parks, apartments and duplexes, businesses and business parks, circular or diagonal streets.

- H. Easements. All public and private roads, easements and driveways longer than fifty (50) feet, which provide access to properties shall be named in accordance with the road naming theme to that area or as approved by the Addresser. This applies whether there are one or more lots.

- I. Intergovernmental Cooperation Policy. The County shall rule on every new or changed name of a street within its jurisdiction. Where a street is or clearly will be both within and outside an incorporated area, the County shall confer with other affected governmental entities (to include Tribal Lands and Reservations) and seek a mutually satisfactory name.

Section 8 Road Names

A. Naming New Roads.

1. New Road Designations:

- a. New local street cul-de-sacs may be designated “Court”;
- b. Roads whose beginning and ending points intersect on a common road shall be known as a “Loop”;
- c. When the appropriate street designation according to this subsection is not clear, the Addresser shall determine the designation;
- d. Private streets may have a designation, provided the street is depicted on the zoning and assessment maps. The name shall not be in conflict with the name of an existing public or private street. Any driveway longer than 300 feet shall be designated as a street.
- e. A petition, with a minimum of 51% of the affected property owners agreeing to three names, listed by preference for the Addressers consideration.
- f. Road names are not considered approved until written approval by the Addresser is obtained.

B. Naming of New Roads:

1. The name of a new street should be the name of an existing, nearby street, which is essentially in line with it, unless the Addresser finds that such name continuation would clearly not be helpful to motorists searching for an address.
2. Where paragraph one (1) of this section does not apply, the following are basic county policies on public and private street naming:
 1. Alphabetic sequences of street names are desirable;
 2. Groupings of names of similar subjects such as trees or animal names are desirable;
 3. Names with double meanings are usually undesirable;
 4. Names which are difficult to spell or pronounce are usually undesirable;
 5. Names of over 17 letters and spaces are usually unacceptable (this limit does not apply to the street designation and quadrant);
 6. Names already in use for streets in the County, are unacceptable unless the existing street is essentially in line with the new street.

C. Renaming Roads. The County may change road names to eliminate duplication, avoid safety concerns, or protect the health and general welfare of county citizens. In addition, owners of property on the street in question may apply to the Addressing office to change the name of a street segment which is within the County subject to the procedures set out in this Ordinance. This section shall apply to any re-plats of subdivisions if the roads are being changed.

1. Criteria for Name Changes:
 - 1 A road name shall be changed only if the Addresser finds that there will be a public benefit which clearly outweighs the public confusion and cost which would be created by the name change.
 - 2 Continuous principal or minor arterial roads should have the same name throughout the area. However, the benefit of this clarity must be weighed against the confusion of changing addresses which are in use.
 - 3 When road names are proposed for change, every effort will be made to maintain historical road names.
 - 4 A petition of 51% of affected property owners shall be provided with a list of three choices, listed by preference, for the Addresser to consider.
 - 5 The NENA Addressing System Guide should be used as a reference for all road names.

- D. For the purpose of Section 8(A-1-e) and 8(C-1-4) to establish 51% of the affected land owners, one person per vacant lot, occupied building, or residence may sign the petition. (*i.e.* one vacant lot, one vote; one occupied building, one vote; one residence, one vote.) Once a road has been named, it may not be the subject of a petition for renaming for at least ten years, unless the petitioning land owners can establish a need to rename the road based on public health, safety, or welfare.

Section 9 Application Requirements

- A. Application, provided by the Addresser, shall be filled out and have the following information:
 1. Name of applicant;
 2. Location or roadway by description and/or map;
 3. Legal status, *i.e.*, ownership of road, if known; (attach map showing area);
 4. Existing road name, if known;
 5. Proposed road name;
 6. Reason(s) for request;
 7. Attached petition from 51% of landowners supporting change;

- B. The Addresser shall mail certified letters to the record owners of all lots abutting a street segment which is proposed for a name change, informing them of the nature of the proposed change and indicating how a person may file comments. At least 15 days shall be allowed for such comments before a decision is reached. Owner of record means the owner shown in the records of the County Assessor.

- C. The Addresser shall make the decision as to local and collector streets in the following cases:
 - 1. An application or petition is signed by all owners of record of property abutting the street segment in question; or
 - 2. No person files a timely written objection to the name change.
- D. In cases involving principal or major arterial streets, the County Planning and Zoning Commissioners shall rule on the request.
- E. Every person filing comments or receiving notification pursuant to the provisions of this section shall receive written notification of the decision.
- F. Appeal of the Addresser's decision is to the Sandoval County Planning and Zoning Commission, then to the Board of Commissioners for Sandoval County. Appeals are subject to the requirements set out herein.
- G. Criteria for Name Changes.
 - 1. A street name shall be changed only if the Addresser finds that there will be a public benefit which clearly outweighs the public confusion and cost which would be created by the name change.
 - 2. Continuous principal or minor arterial streets should have the same name throughout the area. However, the benefit of this clarity must be weighed against the confusion of changing addresses which are in use.
 - 3. When road names are proposed for change, every effort will be made to maintain historical road names.

Section 10 Road Signs

- A. Physical Address Signs (Building Number).

Each record owner must place an address sign upon his/her property. Address signs shall be large – minimum 3.5 inches, preferred red background with white numerical and:

 - 1. Placed in a manner that is highly visible from the primary access to the property, and made of a material which is highly reflective, or illuminated from above, so as to be seen clearly at night
 - 2. The post should be placed so that the face of the sign is on the near side of the right-of-way or driveway access to the residence so that the number can be readily visible from the street to the driver of emergency vehicles.
 - 3. If the address sign is placed on the residence, it is important that it be visible, from the street, to the driver of emergency vehicles.

4. It shall be the duty of the owner and/or occupant of each vacant lot, occupied building, or residence in the unincorporated areas of Sandoval County to have placed upon his or her property the number assigned by the County and to maintain and replace when necessary such number so that the number is at all times visible and readable.
- B. Road signs shall conform to approved County standards for color, overall size, lettering size, and height referred to herein. Road signs shall be installed and maintained by the County except that land owners requesting a road name change pursuant to the provisions set out herein shall be responsible for the cost of replacing the road sign according to the established fee schedule for road name changes.
- C. Based on the Manual on Uniform Traffic Control Devices (MUTCD), the County applies the following standards:
1. The minimum vertical clearance should be eight (8) feet to the bottom of the sign for post top-mountings.
 2. The sign colors should be reflectorized. The letters and background shall be of contrasting colors and should have white letters and border on a green background.
 3. Lettering on road name signs should be four (4) inch high uppercase letters.
 4. Letters should conform with the standard alphabets for highway signs printed by the Federal Highway Administration, such as RD, LN, CT, AV, CR, etc.
 5. The most commonly used material for mounting is either extruded aluminum with a 0.25 inch flange thickness and a 0.090 inch web (min.) or flat sheet aluminum with a minimum thickness of 0.125 inches.
 6. Road signs should be placed at least on diagonally opposite corners so that they will be on the far right-hand side of the intersection for traffic on the major street.
 7. Road signs should be mounted with their faces parallel to the streets they name.
 8. In residential districts, at least two road name signs should be mounted at each intersection.
 8. In rural districts, signs should be placed to identify important roads not otherwise marked.

Section 11 Prohibitions

No building permit shall be issued within jurisdiction of the County until addresses have been approved. To ensure the maintenance and preservation of the addressing system, the County imposes the following prohibitions:

1. Only persons authorized by the County may install or erect road signs, except as otherwise permitted by the County for subdivisions or developments.

2. Only County authorized persons may remove, alter, or change a road name sign or physical address installed or maintained in accordance with this Ordinance.
3. No person shall install or cause to be installed any utility service, including, but not limited to electric, gas, water, sewer, telephone or cable television or any building required by this Ordinance to be assigned an address without first receiving a building permit and an address for that location. Utility companies must obtain approval from the Planning and Zoning Department prior to installation.
4. The County has the discretion to reject any submitted road names.

Section 12 Savings Clause

The provisions of this Ordinance are severable. If any provision, sentence clause, section, or part hereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, the illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance or its application to other persons or circumstances. It is hereby declared to be the intent of the County that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, sentence, clause, section, or part had not been included herein, or if the person or circumstances to which this Ordinance or any part thereof are inapplicable had been specifically exempted therefrom.

Section 13 Non-Conforming Names or Addresses

- A. The street name or lot address that fails to meet the requirements of this ordinance will be recognized as a legal non-conforming pre-existing or “grandfathered” name or address. All street names and lot addresses in the unincorporated area of Sandoval County must meet the requirements of this ordinance. The lot owner shall be given 365 calendar days to correct a pre-existing but incorrect address after written notice from the Addresser.
- B. Any pre-existing incorrect address shall be immediately removed and replaced with the correct address upon written notification by the Addresser.

Section 14 Variance

- A. The Commission may approve a variance to the strict application of the requirements of this Ordinance in cases where such application will result in a practical difficulty or unnecessary hardship for a resident or property owner, or it can be shown that strict compliance with the requirements of the Ordinance would result in extraordinary hardship to the Applicant. Before granting a request for a variance, the Commission must determine that such a variance will not:
1. Cause a significant hazard, annoyance, or inconvenience to the owners of nearby property.
 2. Impair the operations of the Emergency Services Departments.
 3. Threaten the health, safety, and welfare of County residents.
- B. Application – Any request for variance shall be submitted in writing to the Addresser on a prescribed application form obtainable from the Addresser. The application form must be accompanied by the required filing fee as well as by any supplementary material the applicant believes will assist the Commission in making their determination. The Addresser may request additional material if it is believed such material will be useful to the Commission in making its determination. Upon receipt of the application and filing fee, the Addresser shall, as soon as possible, transmit copies of that application and any supplementary material to the Commission.
- C. Decision - Within sixty (60) days of receipt of a completed application and any supplementary material in the office of the Addresser, the Commission shall issue their decision on the request. During that time, the Commission may ask for further information from the Addresser if he/she believes such information is necessary to his/her deliberations. Any decision on a variance request shall be made in writing and shall be mailed to the applicant with copies transmitted to the Addresser and to all members of the Addressing Committee. In making their decision, the Commission may either; (1) Approve the request, (2) Approve the request with conditions, or (3) Deny the request. Findings of Fact shall be set out by the Commission supporting their decision. The decision of the Commission shall be the final administrative remedy available under this Ordinance.

Section 15 Appeals

- A. Right of Appeal. Any landowner aggrieved by a decision of the Addresser in carrying out the provisions of this Ordinance may appeal such decision to the Sandoval County Planning and Zoning Board within fifteen (15) working days of the Addresser's decision. Such appeal must set forth specifically wherein it is claimed there is an error or an abuse of discretion, or where the decision was not supported by evidence in the matter. Further appeal of the Zoning Commission's decision is to the Board of Commissioners for Sandoval County, as set forth in paragraph C of this section.
- B. Application. Any appeal following a decision of the Addresser shall be made in writing to the Board of County Commissioners on prescribed forms obtainable from the Zoning Officer upon payment of the applicable filing fee. Appeals shall be filed within fifteen (15) working days of the date of the Addresser's Decision.
- C. Public Hearing. The decision on an appeal shall be made by the Board of County Commissioners following a public hearing. The public hearing before the Board of County Commissioners shall be scheduled within 30 calendar days of the date a completed application is filed.
- D. Notification. Notification of the time and place of the public hearing shall be published in a newspaper of general circulation in the County at least 15 days prior to the hearing.
- E. Decision. An appeal shall be decided within 3 months of the date of the application of the appeal.
- F. Finality of Decision. The decision of the Board of County Commissioners shall become final on the date the decision is recorded by the County Clerk.

Section 16 Penalties

- A. Any person, partnership, association, corporation, public utility, private utility, or other legal entity purposefully who installs or causes to be installed any utility service, including, but not limited to electricity, gas, water, sewer, telephone, or cable television service to any location required by this Ordinance to be assigned an address without first receiving a development permit and an address for that location shall be guilty of a misdemeanor punishable by a fine not to exceed three hundred dollars (\$300.00) or by imprisonment for a term not to exceed ninety (90) days, or both.
- B. Any person who purposefully fails to properly place and maintain assigned address numbers on property owned or occupied by that person as required by this Ordinance shall be guilty of a misdemeanor punishable by a fine not to exceed fifty dollars (\$50.00).
- C. Any person who intentionally installs a road sign or assigned address number in violation of this Ordinance or who intentionally removes, alters, defaces, changes, or conceals a road sign or assigned address number erected or installed pursuant to this Ordinance shall be guilty of a misdemeanor punishable by a fine not to exceed three hundred dollars (\$300.00) or by imprisonment for a term not to exceed ninety (90) days, or both.

Section 17 Definitions

- A. Access: A way or means by which a vehicle enters a lot or parcel, or a person enters a building.
- B. Address System: Sandoval County uses the grid addressing system and the frontage interval system (the mile marker system) as defined in the NENA Addressing Systems Guide for the benefit of the County.
- C. Baseline: A north-south or east-west line used as a zero starting point for address numbers.
- D. Building: Includes all residential and commercial structures designed for human occupancy or use.
- E. Commercial: A development not intended for human residence.
- F. Commission: The Board of County Commissioners.
- G. County: Sandoval County, New Mexico.
- H. County Addresser: Authorized representative, appointed by the County and responsible for the administration of these standards in the ordinance.
- I. Cul-de-sac: A street ending in a dead-end, not being an extension of another street, having no other street intersections, and not having the capability of connecting or intersecting with another street in the future.
- J. Directional Prefix: A prefix assigned to a street based on the general direction of travel from an appropriate baseline. North (N), South (S), East (E), and West (W). The determination may be forty-five degrees either side of the true direction.
- K. Emergency Services: Fire, Law Enforcement, ambulance services, E-911, etc.

- L. Entrance Signage: Address information located at access points.
- M. Local/Collector Streets: A street that serves as a connection between several local streets and one or more arterial streets and/or a street of relatively short length that provides direct access to a limited number of abutting properties.
- N. Mailing Address: A complete delivery address that has all the elements necessary to allow an exact match with the current Postal Service ZIP+4 and City State Files to obtain the finest level of ZIP+4 and delivery point codes for the delivery address. Also, a standardized delivery address that is fully spelled out, abbreviated by using the Postal Service standard abbreviations or as shown in the current Postal Service ZIP+4 File.
- O. Major Arterial: Any interstate, federal highway, state highway or county highway.
- P. Mile Marker: A system of mileage indicators displayed alongside county, state and federal highways that are set at intervals of one mile.
- Q. Number: Part of an address based on numerical distance from an appropriate starting point.
- R. Occupant Identifier: A specific number delineating individual unit locations with a single address. This number shall be used following the address. (E.g., 5015 Highway 44, Suite 1100.)
- S. Person: An individual, partnership, corporation, public utility, association, other legal entity, or their authorized agent.
- T. Physical Address: A permanent, unique address that clearly identifies where a property is physically located. The address number is assigned by the Addresser, or designee, after physically inspecting the location of the property or by referencing the county maps and road indexes. A number, directional prefix, primary street name, and suffix, and an occupant identifier when required. This address is not the same and may be different from the mailing address.
- U. Point of Origin: The intersection of the north-south and east-west roadways establishing zero at the intersection.
- V. Primary Access: Principal point of ingress-egress. It may be different than recorded legal access.
- W. Public Utility: Includes, but is not limited to, electric, water, sewer, natural gas, propane gas, telephone and cable television companies.
- X. Residential: Facilities intended for human dwelling
- Y. Site Plan: A map drawn to scale and including a North arrow showing property boundaries, building locations, dimensions of property, buildings and setback distances to property lines, primary access points for property and buildings, dimensional ties of tenant improvements to building shell, access from nearest named right-of-way for un-subdivided parcels.
- Z. Street: A public or private thoroughfare or easement with abutting properties reserved for vehicle travel and access.
- AA. Street Name: Primary street name and suffix. Does not include the directional prefix. (E.g., E. Broadway Boulevard.)

- BB. Street Sign: Displays primary name, suffix, and a quadrant direction from a baseline.

- CC. Subdivision: A division of a surface area of land, including land within a previously approved subdivision, into two (2) or more parcels for the purpose of sale, lease, or other conveyance; or for building development, whether immediate or future, as referenced in the Sandoval County Subdivision Regulations.
- DD. Subdivision Plat, Preliminary: Map of a proposed subdivision showing the character and proposed layout of the subdivision and the existing conditions in and around it; the map need not be base upon an accurate and detailed survey of the land.
- EE. Unincorporated: Those areas in the County which are located outside any municipal limits or not held in trust or ownership by the Federal Government or State of New Mexico.

Section 18 Fee Schedule

- A. Applications – Any applications required by this Ordinance shall be filed with the required filing fee on prescribed forms obtainable from the Planning and Zoning Department. Such fees shall not be required where the County or any official thereof is the moving party.
- B. Fees – Filing fees will be charged as follows:

Type of Transaction	Fee Charged
New Road Name	\$10 per street
Rename Existing Road	\$50 + \$3 per affected lots
Appeal	\$20
New Address	\$5
Replace Numbers	\$.50 per number

- C. Late Fee Penalty - Applications for and Fees collected after the fact shall be double as that listed above

ADOPTED this 21st day of March, 2002.

ATTEST:

SANDOVAL COUNTY BOARD
OF COMMISSIONERS

Victoria Dunlap, County Clerk

Elizabeth C. Johnson, Chairman

Jack E. Thomas, Vice Chairman

Daymon Ely, Member

APPROVED AS TO FORM:

William Sapien, Member

David Mathews, County Attorney

Mary Humphrey, Member

STATE OF NEW MEXICO

COUNTY OF SANDOVAL

This instrument was filed for record on

4:09 PM March 25, 2002

Recorded in Vol. 402 of records of said

County, folio 29888-29902 – Clk. & Recorder

By O. Baldonado, Deputy (Liz)