

**Resolution of the Board of County Commissioners of
Big Horn County, State of Wyoming to control
Address and Road sign establishment
2007-2008-10**

WHEREAS: no consistent assignment or maintenance has been followed with rural addresses and maintaining rural addresses and road signs; Big Horn County Commissioners find it necessary to maintain good addressing standards for emergency response relating to the public health, safety, and general welfare of its citizenry; and

WHEREAS: an Address Committee was organized in July 31, 2007 to establish a Rural Address Policy for the un-incorporated areas of Big Horn County; and

WHEREAS: a public hearing was held on March 4, 2008 in accordance with W.S. §16-3-101 through W.S. §16-3-115; and

WHEREAS: the Big Horn County Commissioner find it reasonable to regulate address and road sign assignment and maintenance through W.S. §18-3-504; W.S. §18-3-701; W.S. §24-3 Article 2; W.S. §31-5-108; W.S. §31-5-112; and

THEREFORE, BE IT RESOLVED by the Board of County Commissioner of Big Horn County, Wyoming to adopt Big Horn County, WY Rural Addressing Policy. The Rural Addressing Policy allows control on the manner address numbers are assigned and maintained. The Rural Addressing Policy allows control on naming of private roads where more than two residences will use such roads for access. The Rural Addressing Policy controls the manner of establishing names for private roads where required to be named.

Adopted the 4th Day of March, 2008

BOARD OF COUNTY COMMISSIONERS
Big Horn County, Wyoming



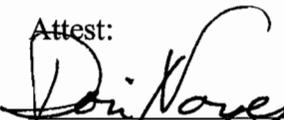
Keith M. Grant, Chairman



William S. Duncan, Member



Thomas "Scotty" Hinman, Member

Attest:


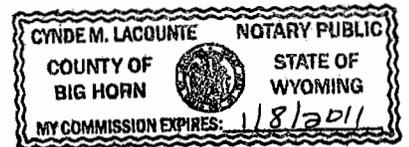
Dori Noyes, Clerk of the Board

"This Notary Certificate is prepared on a separate page and is attached to the document entitled Resolution containing 9 page (s) and is attached by means of a staple (staple, glue, etc.)

STATE OF Wyoming)
) ss.
COUNTY OF Big Horn)

The foregoing instrument was acknowledged before me by
Keith M. Grant, William S. Duncan and this 4 day of
March, 2008.
Thomas Hinman

(seal)



Witness my hand and official seal.

Cynde M. La Counte
County Clerk by Deputy Clerk Notary

My term expires: 1/8/2011

Big Horn County, WY

Rural Addressing Policy

1. Statutory Authorization, Findings of Fact, Purpose, and Objectives

a. **Authorization:** The Board of County Commissioners of Big Horn County through the adoption of this regulation intends to promote the public health, safety, and general welfare of its citizenry. Also the intention rests for accurate emergency response during emergency situations. Pursuant to this authority, the Board of County Commissioners of Big Horn County, Wyoming hereby adopts this rural addressing policy.

b. Findings of Fact

i. On June 18, 1985, Big Horn County Commissioners adopted a resolution to regulate traffic on Streets, Roads, & Highways under their jurisdiction. Reference Commissioners' Journal Book 12, Page 323.

ii. The following Wyoming Statutes are hereby incorporated by reference:

1. W.S §18-3-504—County Officers-Power and Duties Generally
2. W.S §18-3-701—County Surveyors-Qualifications; appointments; duty as supervisor of roads
3. W.S. §24-3 Article 2—Identification of Roads
4. W.S. §31-5-108—Regulation of Traffic on Highways-Uniformity of provision throughout state; local modifications
5. W.S. §31-5-112—Regulation of Traffic on Highways-Adoption of uniform system of traffic-controlled devices

iii. The provisions of the Manual on Uniform Traffic Control Devices (MUTCD), latest edition, are hereby incorporated by reference.

2. **STATEMENT OF THE RURAL ADDRESSING POLICY.** The policy of Big Horn County, as expressed through its duly elected Commissioners, is to provide a uniform, coordinated rural addressing system for Big Horn County. This system shall be mileage based with addresses assigned from a known point, usually the beginning of the access to three or more residences. The purpose of this policy is:

- a. protect human life and health as well as property, and
- b. provide a uniform road naming and addressing system to facilitate the delivery of public and utility services. This policy shall be implemented in the following manner and consistent with the following regulations.

3. **DEFINITIONS.** Unless specifically defined below, words or phrases used in these regulations shall be interpreted so as to give them the meaning they have in common usage and to give these regulations the most reasonable application. The following definitions are specific to these Regulations:

- a. "Access"- The means by which a residence or business is reached which is customarily by way of a street, road or highway, in part public and/or private and that leads to one or more residences or businesses
- b. "Address" - A numerical symbol identifying a residence or business that is located on an access.
- c. "Address Committee"- The Address Review Committee, chaired by the Big Horn County Emergency Management Coordinator, is a group to be comprised of representatives from the following organizations as well as such other persons as the Big Horn County Commissioners shall designate:
 - Big Horn County Planner
 - Big Horn County Emergency Management Coordinator
 - Big Horn County Sheriff's Office
 - Big Horn County Attorney
 - Big Horn County Commission
 - General Big Horn County Citizen
 - LEPC Member
- d. "County Planner" - A person, appointed by the County Commissioners charged with implementing this policy according to these regulations
- e. "Business" - Any employment, occupation, profession or commercial activity engaged in for gain or livelihood.
- f. "City Street" – A right-of-way established according to state statute and municipal code, under the jurisdiction of a town or city.
- g. "County Road" – A right-of-way established according to state statute within the jurisdiction of Big Horn County.
- h. "Dwelling" – See Residence.
- i. "Existing Address" – A number assigned, recorded, and/or used to identify a residence with the number issued by the county or fire district and associated with an access.
- j. "Health and Safety" - The public purpose supporting the Rural Addressing Policy is for the protection of a person's health and property as well as the enforcement of duly constituted federal, state, and county laws.
- k. "New Address" – An address number yet to be assigned and recorded by the County Planner.

- l. "Private Road" – A roadway for the use of an individual or particular group of individuals.
- m. "Public Road" – A road right-of-way or easement dedicated or established for the use of the general public.
- n. "Residence" - For the purposes of this policy a residence shall be considered the same as the NFPA definition of Occupancy/Residential. NFPA Standard 101 Section 3.3.134.12 – an occupancy that provides sleeping accommodations for purposed other than healthcare or detention and correctional.
- o. "State Highway" – A right-of-way established according to state statute by the State of Wyoming, under the jurisdiction of the State of Wyoming.
- p. "Subdivision Road" – A road right-of-way or easement dedicated or established through the subdivision process.
- q. "Visible" – Clearly visible •to the naked eye under normal viewing and seasonal conditions. For a person with 20/20 vision this would mean being able to see `3 inch letters at a distance of 250 feet.
- r. "Unmanned Facilities" –Facilities that are not considered 'residence as defined under these regulation definitions.

4. GENERAL PROVISIONS

- a. **Lands to which these regulations apply.** These regulations shall apply to all areas within the jurisdiction of Big Horn County.
- b. **Compliance.** All addresses within Big Horn County shall be assigned in full compliance with the terms of these regulations.
 - i. Deviations will be at the discretion of the Address Committee & County Planner.
- c. **Abrogation and greater restrictions.** These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where these regulations and another regulation, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- d. **Road Name Signs.** It is neither the desire nor the intent of the county, through its addressing policy, to differentiate between public and private roads, nor to imply a right of ingress or egress. Generally, the following sign conventions will be followed:
 - i. **County Roads** – Formally established County roads will be marked with a County Route Marker, MUTCD designation M1-6.
 - ii. **Other Roads** – Other roads, public, private, subdivision, etc., will

be marked with a Street Name Sign, MUTCD designation D3. In some instances these roads may be marked with a County Route Marker, M1-6.

Requests for signs with additional wording, such as "Private Road", "Private Drive" or other private signs will be denied by the County. This does not preclude the property owner, at his expense, from installing these signs on private property. Such signs must be installed outside of any County Right-of-Way and may not be attached to the road name sign or signpost installed by Big Horn County. The applicant, at his expense, may place a "Private Road" sign on the County signpost if the sign meets the requirements of the MUTCD and the applicant obtains written approval from the Addressing Commission.

- e. **Interpretation.** In the interpretation of these regulations, all provisions shall be:
 - i. Considered as minimum requirements;
 - ii. Liberally construed in favor of the governing body; and
 - iii. Deemed neither to limit nor repeal any other powers granted under state statute.
- f. **Warning and Disclaimer of Liability.** The degree of protection required by these regulations is considered reasonable for regulatory purposes. These regulations shall not create liability on the part of Big Horn County, any officer or employee thereof for any damages that result from reliance on these regulations or any administrative decision lawfully made in furtherance of them.

5. PROCEDURE WHEN A NEW ADDRESS IS REQUESTED

- a. **Application for an Address.** An applicant shall make a request for an address to be assigned to a residence or business. Application for an address shall be made on forms furnished by the County Planner. The form may include, but is not limited to containing the following information:
 - i. Name, address and phone number of person requesting an address.
 - ii. Name, address and phone number of Property Owner.
 - iii. Legal description of property.
 - iv. Directions to the property.
 - v. Accessed marked with flagging tape.
- b. **Application Review.** When an application is submitted, the Addressing Coordinator shall:
 - i. Verify property ownership, as others may be affected by a new address,

- ii. Determine if address location is on a currently named road, or
- iii. Determine if a private road name will be required.
 1. A new road name will be required in the following cases:
 - a. When the new address is for the third residence located on a particular access; or
 - b. When increased development will be located on a particular access may result in three or more residences off of an already identified access

Cluster homes and, guest ranches and ranches in general will be addressed in conformance with these regulations. Any structure, which meets the definition of a residence or a business, will be required to be addressed.

c. If a new road name is not needed

- i. The County Planner will field measure the distance from a known point to the marker placement and determine an address for the location;
- ii. The County Planner will provide the applicant with an approved address; and instruct the Road & Bridge Department to place the marker at the location of the proposed driveway;
- iii. The Road and Bridge Department will place the marker at the location of the marked driveway,

d. If a New Road Name is needed. After a determination by the County Planner that a new access name and address are required, the following process will be followed:

- i. The County Planner shall review the property ownership on all sides and other pertinent adjacent properties near the road in question,
- ii. Affected property owners will be contacted in writing and given the opportunity to nominate names for consideration,
- iii. Once the nominations are submitted, the Address Committee shall review the nominations and
 1. Any conflicts or perceived conflicts between proposed road names and existing road names, which are already established in Big Horn County, will not be allowed. All names not disqualified through the review process will be submitted to the landowners so they may have a chance to vote.
 2. If the local landowners cannot agree, the Addressing Committee will assign a road name.

- iv. Once an access name is accepted, all the affected landowners will be notified outlining the new name and corresponding new addresses. A copy shall be sent to ALL emergency services and dispatch offices, utility companies, county offices, postal service, and other interested parties, after which;
 - v. The Road & Bridge is notified to install a new road sign and address markers.
 - e. **Assignment of road name and address.**
 - i. Once the Applicant and the County Planner have complied with the requirements of these regulations, the County Planner will assign an address, and if required, an access name
 - f. **Notification of address.**
 - i. Once an access name and an address are determined, the County Planner will notify the applicant and appropriate agencies in writing.
 - ii. The Road & Bridge Department is notified to install a new road sign and address markers.
 - g. **Correction of self-assigned address.**
 - i. When an unauthorized address is discovered, the County Planner shall notify the property owner of the violation and initiate the process in accordance with this policy to correct the address. A fee in accordance with **Section 8** of these regulations shall be imposed for correcting self-assigned addresses.
 - h. **The Steps to be taken when there is no Applicant.** A procedure to name the new access and assign a new address to a residence may be initiated upon the recommendation of any member the Addressing Committee
- 6. **Modification of an existing address.** The County and all of the members of the address committee recognize the inconvenience associated with the modification of an address. Changes to existing addresses will be required from time to time but only when necessary due to comply with these regulations or to correct problems with existing addresses.
 - a. It is determined that a new road name is required and in order to conform with these regulations, an existing address using the access needs to be re-addressed.
 - b. If the County Planner, or a member of the Address Committee, determines that a modification of an existing address is needed because the address does not conform to the County address system or policy, the County Planner will initiate a change following the procedures outlined in the previous relevant sections.

There will be no charge to the affected property owner for a required change of address.

7. PERIODIC REVIEW OF ALL NEW COUNTY RURAL RESIDENTIAL ADDRESSES

- a. Since it is the policy of Big Horn County to establish a uniform addressing system throughout the county, the County Planner shall in an orderly manner and consistent with County resources and the purpose of this policy, review all **new** accesses with residences located on them. The review should not result in addresses being assigned to residences in a manner not consistent with the goals of this policy provide effective health and safety services and protect the property of Big Horn County citizens.
- b. This review will be conducted by the County Planner and subject to review by the Addressing Committee. If a person disagrees with the decision made in this process, they, may appeal to the Board of County Commissioners according to the procedures referred to below.

8. FEES. Apply to all new development, development which constitute changes, and or negligent damage to existing signs.

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|--|-----------------------|
| Street name sign | \$150.00 |
| Address marker -- New address | \$100.00 |
| Replacement marker -- worn out naturally | \$0.00 |
| Replacement marker -- other causes | \$50.00 |
| Correction of self assigned address | \$250.00 |
| Failure to properly mark driveway | \$50.00, plus mileage |

a. Exceptions to Charges

- i. County or Agency required changes.
- ii. New Subdivisions, prior to Plat recordation, will obligate developers to pay for street name signs.
- iii. Governmental agency requests

9. ENFORCEMENT

- a. No address number(s) shall be released until all applicable County permits have been issued.
- b. No address number(s) shall be released until all costs, including costs for re-

inspection, have been received.

- c. No address number(s) shall be released until all affected property owners file a letter of agreement on the newly assigned road name, unless the Board of County Commissioners assigns a road name.

10. APPEALS

- a. **Appeal Process.** Any decision of the Address Committee may be appealed to the Board of County Commissioners. Appeals shall be filed in writing with the Clerk at least ten (10 days) prior to a meeting of the Board. Upon receiving an appeal the Board shall set a hearing date and notify all affected parties of the hearing. The hearing must be held within 30 days. At the hearing the applicant will state his case and the Address Committee may reply.
- b. **Decision on Appeal.** The Board shall within 30 days of an appeal hearing issue a written decision which:
 - i. Confirms the decision of the Address Committee,
 - ii. Upholds the appeal and reverses or modifies the decision of the Addressing Committee.