

**CODE OF WAYMART BOROUGH
STREET NAMING AND BUILDING NUMBERING – CHAPTER 90**

CHAPTER 90

Street Naming and Building Numbering

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[HISTORY: Adopted by the Borough Council of Waymart Borough on January 4, 2005 as Ordinance No. 2005-1.]

§ 90-01. Purposes and Authority.

- A. Purposes. The Borough Council find that the police, ambulance and fire services must be able to quickly and accurately locate addresses of homes and business buildings on Borough streets if they are to provide such services effectively and efficiently. The Borough Council further finds that building identification numbers and street names are essential for this purpose and public safety in general.. It is, therefore, the purpose of this Ordinance to establish a system of numbering buildings and naming streets on which there are located dwelling units or places of business so that police, ambulance and fire services can quickly and accurately locate their addresses in emergencies.
- B. Authority. This Ordinance is authorized by Sections 1202(17), 1202(25) and 1202(74) of the Commonwealth of Pennsylvania Borough Code.

§ 90-02. Required Street Naming and Building Numbering.

- A. Required Street Naming:
 - (1) From and after the effective date of this Chapter 90 each existing or new street, whether public or private, shall be named and signed. This responsibility shall rest with the owner or owners of such streets. Such owner or owners, upon written notice from the Borough Council, shall within thirty (30) days select a name for any unnamed street, report the same to the Borough Council for approval and, within thirty (30) days of such approval, erect a sign of metal construction no less than six (6) inches in height with letters at least four (4) inches in height. Sign colors shall be in sharp contrast with the immediate background so as to be easily readable (e.g. green and white, blue and white, red and white or brown and white).
 - (2) Such street name shall be in English language and not duplicate or closely resemble the names of other streets with Waymart Borough, adjoining municipalities, the same postal zip code or the same emergency services district unless such street is a direct extension of an existing named street. The Wayne County 9-1-1 Office, or such other successor agency as shall be assigned responsibility for emergency services coordination within Wayne County,

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shall be consulted in approving street names and shall be notified of all final names approved by the Borough Borough Council. All direct extensions of existing named streets shall bear the same name, regardless of municipality, at least as far as the next major intersection.

- (3) Should the owner or owners of any street, upon written notice from the Borough Borough Council, fail to name such street or erect the required signage within the time periods provided, the Borough Borough Council shall do so on its behalf and may assess the costs thereof to the owner or owners, or in the absence of documented owners, to the adjoiners in such equitable manner as the Board shall determine.
- (4) The Borough Council shall also, using the above procedures, order the renaming and new signing of existing public or private streets possessing names that duplicate or conflict with names of other named streets with Waymart Borough, adjoining municipalities, the same postal zip code or the same emergency services district.
- (5) All continuous streets shall bear the same name between major intersections, regardless of municipality. Existing streets shall, within sixty (60) days of the effective date of this Chapter 90, be renamed and newly signed to conform to this standard, using a street name acceptable to all municipalities or owners or, in the absence of such agreement, the name first assigned to such continuous street by an involved municipality or owner, as evidenced by properly erected signage. Should these procedures be inadequate for determining a common street name within sixty (6) days of the effective date of this Chapter 90, the matter shall be automatically referred to the Wayne County 9-1-1 Office, or such other successor agency as shall be assigned for responsibility for emergency services coordination within Wayne County, for resolution. The Borough Borough Council shall, within sixty (60) days of such referral, implement such street name changes as are recommended.

B. Required Building Numbering:

- (1) From and after the effective date of this Chapter 90 each existing or new dwelling unit and each existing or new business building shall be numbered in accordance with this Chapter 90. The Wayne County 9-1-1 Office, or such other successor agency as shall be assigned responsibility for emergency services coordination within Wayne County, shall be responsible for assigning numbers to dwellings and businesses and each occupied lot or parcel. Any owner of property on which there exists a dwelling unit or a business building, who does not receive such an assigned property number, shall apply to the Wayne County 9-1-1 Office for one.
- (2) The Wayne County 9-1-1 Office shall change the number of a dwelling or business by sending a notice to the owner notifying the owner of the new number assigned by mail, or by personal service, or by posting the notice on the property. The owner of the property receiving such notice shall cause the numbers to be changed within thirty (30) days of receipt or posting of such notice.
- (3) No building permit or other permits for property improvements shall be granted by Waymart Borough until such assignment has been made and evidence of the same provided to the Waymart Borough Secretary.

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- (4) The Wayne County 9-1-1 Office, or such other successor agency as shall be assigned responsibility for emergency services coordination within Wayne County, shall also have the authority to change numbers for the purpose of the orderly numbering of addresses. It shall change the number of a dwelling or business by sending a notice to the owner notifying the owner of the new number assigned by mail, or by personal service, or by posting the notice on the property. The owner of the property receiving such notice shall cause the numbers to be changed within thirty (30) days of receipt or posting of such notice.
- (5) Building numbers shall be depicted in Arabic numerals or shall be the English words for numerals and shall be of durable materials. Each digit or letter shall be at least four (4) inches in height on buildings or three (3) inches in height on mailboxes or other posts within the highway right-of-way. The colors shall be in contrast with the immediate background so as to be easily readable. Numbers shall be located and placed so as to clearly identify the structure containing each dwelling unit or business in accordance with the following regulations:
 - (a) The numbers shall be placed in a conspicuous place so as to clearly identify the location of the dwelling unit or business.
 - (b) The placement of the numbers must be such that the numbers can be seen and read from the sidewalk (if any) in front of said dwelling unit or business, from the traveled portion of the street, and from the opposite side of the street.
 - (c) The number may be placed upon the structure containing the dwelling unit or business or upon the mailbox or upon a fence, wall, post, rod or other type of fixture of substantial nature such that the number shall clearly indicate the location of the dwelling unit or business in accordance with the requirements of this section.
- (6) It shall be unlawful to cover or conceal, or to permit the sight obstruction of the numbers required to be displayed by this Chapter 90. It shall further be unlawful to post other numbers that would be confusing. All old numbers shall be removed when a new number has been assigned in accordance with this Chapter 90.

§ 90-03. Definitions.

The following definitions shall apply to this Chapter 90.

Owner: The term “owner” shall include legal owner, equitable owner, lessee or tenant, occupant and trustee in possession.

Business: A building or portion of a building designed and occupied by a nonresidential, commercial, industrial, institutional, governmental or other nonresidential use.

Dwelling Unit: A building or portion of a building designed to be occupied by one family for human living quarters.

Major Intersection: An intersection of Borough or State highways or any combination thereof.

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Street: A highway, road or other vehicular way of at least two-hundred (200) feet in length that serves as a thoroughfare or access for two (2) or more dwelling units or business buildings.

§ 90-04 Exemptions and Waivers.

The following buildings and uses shall be exempt from the requirements of this Chapter 90:

- A. Farm buildings and structures that are necessary to a farm use except that buildings used for the retail sale of products grown on the farm and farm residences shall be numbered.
- B. Home-based businesses at the same address.
- C. Buildings, structures, uses accessory to the primary use of a commercial, industrial, institutional governmental or other nonresidential use or structure.
- D. Unoccupied farm land or lots containing no dwellings or businesses.

The Borough Council may also, by resolution and for good cause, waive any of the requirements contained herein or establish additional classes of exemption.

§ 90-05. Fees.

The Borough Council may, by resolution, establish and from time to time revise fees applicable to building numbering and street naming under this Chapter 90. Any such resolution shall specify the party responsible for collecting such fees, which parties may include the Wayne County 9-1-1 Office, or such other successor agency as shall be assigned responsibility for emergency services coordination within Wayne County.

§ 90-06. Violations.

- A. Any person violating the provisions of this Chapter 90 shall be subject to a fine of not more than Three Hundred (\$300.00) dollars and costs of prosecution, and, in default of payment of said fine and costs, to imprisonment for not more than thirty (30) days.
- B. Waymart Borough shall also be entitled to recover any and all attorney's fees or other costs, including but not limited to recouping out-of-pocket expenses incurred by Waymart Borough in compelling compliance. Each day of violation shall be considered a separate violation.
- C. Such proceeding shall be enforced by summary proceeding brought in the name of Waymart Borough before a Pennsylvania District Justice having appropriate jurisdiction. Responsibility for enforcement of this Chapter 90 shall rest with such official as may be designed by resolution of the Waymart Borough Council or, in the absence of such designation, with any peace officer or officer of the court.
- D. The Borough Council shall also be authorized to pursue such civil remedies as may be available under Commonwealth law including securing of an injunction to enjoin a property owner

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or other violator from continuing a violation or engaging in action that would constitute a violation.

- E. In all instances both civil and criminal, Waymart Borough shall be entitled to recover any and all attorney's fees or other costs, including but not limited to recouping out-of-pocket expenses, incurred by Waymart Borough in compelling compliance and/or in prosecuting the matter.

§ 90-07. Separability.

If any sentence, clause, section part of this Chapter 90 is found to be unconstitutional, illegal or invalid, such finding shall not affect or impair any of the remaining parts of this Chapter 90. It is hereby declared to be the intent that this Chapter 90 would have been adopted had such part not been included.