

# CITY OF BELLS

## ORDINANCE NO. 4-02-15

**AN ORDINANCE OF THE CITY OF BELLS, TEXAS ESTABLISHING REGULATIONS AND REQUIRMENTS RELATING TO E-9-1-1 ADDRESSING, SUCH AS REQUIRING AN E-9-1-1 ADDRESS, REQUIRING STREET NUMBERS BE POSTED BY PROPERTY OWNERS AND ESTABLISHING A SYSTEM FOR ASSIGNING FUTURE ADDRESSES; ESTABLISHING OFFENSES AND PENALTIES FOR VIOLATIONS; PROVIDING FOR REPEALING FOR VIOLATIONS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

WHEREAS, the City Council of the City Of Bells, Texas (the "City Council") has investigated and determined that the City of Bells, Texas ("City" or "Bells") should adopt E-9-1-1 addresses and regulations related thereto; and

WHEREAS, the City Council has investigated and determined that it is advantageous, beneficial and in the best interest of the citizens of Bells to adopt the regulations set forth herein; and

WHEREAS, the regulations set forth herein will enhance the easy and rapid location of properties by law enforcement, fire rescue and emergency medical services and will promote the public's health safety and welfare; and

WHEREAS, the City has complied with all notices and meetings required by law; and

WHEREAS, the City Council has authority under state law to adopt the regulations herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLS, TEXAS:

**SECTION 1: Finding Incorporated.** The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2: Administration.** This ordinance shall be administered by the Mayor or his/her designee, who is authorized to and shall assign road names and numbers to all properties, bith on existing and proposed roads, in accordance with the criteria in Section 3 and 5. The Mayor or his/her designee shall also be responsible for maintaining the following official records of this ordinance:

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- a. A Bells map for official use showing road names and number;
- b. An alphabetical list of all property owners as identified by current tax rolls, by last name, showing the assigned numbers.

**SECTION 3: Naming System.** All roads that serve two or more properties shall be named regardless of whether the ownership is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel, or dirt thoroughfare.

"Property" refers to any property on which a more or less permanent structure has been erected or could be placed. A road name assigned by the Mayor or his/her designee shall not constitute or imply acceptance of the road as a public way.

The following criteria shall govern the naming system:

- a. No two roads shall be given the same name (e.g., no Pine Road and Pine Lane).
- b. Each road shall have the same name throughout its entire length.

**SECTION 4: Road Signs.** No road name signs shall be erected without authorization from the Mayor or his/her designee.

**SECTION 5: Numbering System.** Numbers shall be assigned with even numbers appearing on the north and west side of the road and odd numbers appearing on the south and east side of the road.

The following criteria shall govern the numbering system:

- a. All number origins will begin from the center point of the city which is Broadway and Main Streets.
- b. The number assigned to each structure shall be that of the numbered interval falling closest to the front door or the driveway of said structure of the front door cannot be seen from the main road.
- c. Every structure with more than one principal use or occupancy shall have a separate number for each use or occupancy (i.e., duplexes will have two separate numbers; apartments will have one road number with an apartment number, such as 235 Broadway, Apt 2). In the event that it is not feasible to address duplexes or apartments in this manner due to unforeseen

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circumstances, it will be at the discretion of the Mayor or his/her designee to address each duplex or apartment separately.

**SECTION 6: Compliance.** All owners of structures, tenants of structures and/or persons or entities in control of a structure shall, within forty-five (45) days of the date the notice required by Section 9 is deposited by the City for mailing display and maintain in a conspicuous place on said structure, the assigned numbers in the following manner:

a. **Number on the Structure or Residence.** Where the residence or structure is within 50 (fifty) feet of the edge of the road right-of-way, and is clearly visible from the road, the assigned number shall be displayed on the front of the residence or structure in the vicinity of the front door or entry.

b. **Number at the Street Line.** Where the residence or structure is over 50 (fifty) feet from the edge of the road right-of-way, the assigned number shall be displayed on a post, fence wall, the mailbox, concrete curb or on some structure at the property line adjacent to walk or access drive to the residence or structure. Postal regulations and Texas Department of Transportation regulations will supersede the placement and structure requirements of this ordinance where applicable.

c. **Size and Color of Numbers.** Numbers shall be displayed in a color and size approved for use by the Mayor or his/her designee and shall be located as to be visible from the road. Numbers shall be Arabic numerals or alphabet letters and shall be a minimum of four inches (4) in height with a minimum stroke width of one-half an inch (0.5). Numbers shall also either be reflective or contrast with their background.

d. **Removal of Wrong Numbers.** Every person whose duty it is to display the assigned number shall remove any different number which might be mistaken for, or confused with, the number assigned in conformance with this ordinance.

**SECTION 7: New developments and Subdivisions.** All new construction and subdivisions shall be named and numbered in accordance with the provisions of this ordinance and as follows:

a. **New Construction.** Whenever any residence or other structure is constructed or developed, it shall be the duty of the new owner to produce an assigned number from the Mayor or his/her designee. This shall be done when the driveway is visible.

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b. New Subdivision. Any prospective sub divider shall show a proposed road name and lot numbering system on the plat application submission to the City for approval.

**SECTION 8: Release of E-9-1-1 Address by the City.** The city is authorized to release E-9-1-1 addressing information in performing its functions as a city to third parties, including, but not limited to, utility companies, taxing authorities, other governmental entities, and the United States Postal Service.

**SECTION 9: Notice to Residents/Future Construction.** It shall be the duty of the Mayor or his/her designee to notify by mail each property owner of their new address and obligation to display a lawful street number with 60 (sixty) days after the effective date of this Ordinance. On structures constructed after the effective date of this ordinance, numbering must be installed prior to the issuance of a certificate of occupancy.

**SECTION 10: Offenses.** Failure of any person and/or entity to comply with Section 6, Section 7 or Section 9 of this Ordinance shall be an offense. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense in violation of this Ordinance.

**SECTION 11: Penalty.** Any owner, person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding Five Hundred Dollars (\$500.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Bells from filing suit to enjoin the violation. Bells retains all legal rights and remedies available to it pursuant to local, state and federal laws.

**SECTION 12: Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Bells hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof irrespective of that fact that anyone or more sections, sentences, clauses and phrases be declared unconstitutional or invalid.

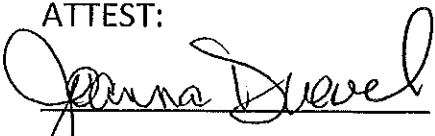
**SECTION 13; Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.


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SECTION 14: Effective Date. This Ordinance shall become effective from and after its adoption and publication of the caption hereof.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF BELLS, TEXAS on this 12  
day of May, 2015

ATTEST:

  
Joanna Duevel, City Secretary

  
Angela LeBlanc, Mayor