

NH 2025-C.1

A local law to amend the Code of the Village of North Hills, in relation to designation of property and building addresses.

Section one. Part II of the Code of the Village of North Hills is hereby amended, by adding thereto a new chapter, to be chapter 95, to read as follows:

"Chapter 95. Addresses of Property and Buildings.

§95-1. Purpose.

§95-2. Definitions

§95-3. Determination and Assignment of Addresses

§95-4. Designation of Numbers; Review of Determination

§95-5. Procedure on Noncompliance; Violations; Penalties; Enforcement.

§95-6. Requests to Renumber or Modify Existing Addresses

§95-7. Governing Principles for Assigning or Designating Addresses

§95-8. Notifications in the Event of Designation or Change of Address.

§95-1. Purpose. The purpose of this chapter is to provide and maintain an orderly and organized system for assigning and designating the addresses of properties and buildings in the Village of North Hills. Such a system will assist the general public, emergency services, and public and private services, in identifying and locating any property or building. Such an orderly system will serve the public interest by facilitating timely and accurate location of, and deliveries or property and services to and from, the various properties in the Village.

§95-2. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

ADDRESS. The number or other signifier assigned to a building, or a property for the purposes of locating and/or identifying such building or property, as provided in this chapter.

BUILDING. The principal building or buildings on each lot or property, excluding any minor building or accessory structures.

§95-3. Determination and Assignment of Addresses.

- A. Addresses shall be determined and assigned by the Village Building Official.
- B. Addresses for buildings and properties existing and in use as of the effective date of this chapter shall continue to be used unless and until a new or different address is assigned as provided in this chapter, in which case the newly assigned address shall be used.
- C. The owner of any building or property requesting assignment of a new address or change of an existing address shall make a written request to the Building Official, which request shall include such information regarding the location of such building or property as the Building Official may require in order to assign an address in compliance with the provisions of this chapter. Such request may include a specific address being requested by such owner, but the Building Official shall not be required to assign the specific address requested by such owner.
- D. In designating any address, or in directing a change in an existing address, the Building Official shall consult with other agencies, such as the United States Postal Service and applicable emergency service providers, as the Building Official may deem appropriate.
- E. In the case of any new construction, or any reconstruction or alteration of any building or structure for which a certificate of occupancy or completion is required, the Building Official shall not issue such certificate until such time as the Building Official either determines that any existing address for such building or structure shall be maintained, or that a new or different address should be assigned as provided in this chapter.

§95-4. Designation of Numbers; Review of Determination.

- A. Where the Building Official deems it necessary to do so, the Building Official shall designate addresses for properties, buildings or structures which have no designated address. The Building Official shall also have the authority to designate new addresses

when deemed necessary in order to avoid confusion in locating a particular property or building.

- B. Any property owner aggrieved by the determination of the Building Official in designation an address or denying a request for a change of address may seek review of that determination by the Board of Trustees. Such review request shall be submitted to the Village Clerk in writing within sixty (60) days after the date of such determination, and shall set forth the reasons for seeking such review. Upon receipt of such request, and payment of any applicable fees, the Village Clerk shall give notice of the request to the owner making such request, the Building Official, the Board of Trustees. Notice to the owner shall be given by regular mail, and shall include the date, time and place (not less than twenty (20) business days after mailing), when the Board of Trustees will consider the review request. The Board of Trustees shall either confirm, modify or change the determination of the Building Official, and notice of the determination by the Board of Trustees shall be given to the owner by regular mail. Such determination by the Board of Trustees shall be final and binding, and subject to judicial review as provided by law.

§95-5. Procedure on Noncompliance; Violations; Penalties; Enforcement.

- A. Any person or entity owning or occupying a building or property within the Village who fails, refuses or neglects to conspicuously place the proper designated address number on a building or property, or who fails, refuses or neglects to remove the display of an address other than one approved by the Building Official, within sixty (60) days after written notice from the Building Official to do so shall be guilty of a violation.
- B. Violations. Any person, firm or entity who or which violates any provision of this chapter shall be guilty of a violation and, upon conviction thereof, shall be punishable for each such offense by a fine of not more than \$1,000. Each week, or part thereof, in which a violation occurs or continues shall constitute a separate violation.
- C. In addition to any other penalty which may be provided by law, the Board of Trustees may authorize enforcement of the provisions of

this chapter by civil action for any remedy available in law or equity, including a civil action for injunctive relief, fines and/or damages.

- D. Service of notices. Any notice provided for in this chapter may be given by personal delivery, or by mailing a copy thereof, to the last known address of the owner.

§95-6. Requests to Renumber or Modify Existing Addresses

- A. Any request to renumber or modify an existing address may be made by a person having an ownership interest in the subject property, or being a contract vendee of the subject property, may request that the address of such property be changed or modified. Such requests shall be submitted in writing to the Building Official together with a full explanation of the reasons for such request, and payment of any applicable fee.
- B. The Building Official shall review such request, and make such investigation as the Building Official shall deem appropriate, including consultations with other agencies as the Building Official may deem appropriate. Within thirty (30) days after receipt of such request, the Building Official shall transmit such request to the Board of Trustees, with the Building Official's recommendation as to action, if any to be taken upon such request.
- C. The Mayor shall promptly select a date, time and place (no sooner than the next regularly scheduled Board of Trustees' meeting) at which the Board will consider such request. The Village Clerk shall give notice of such application, and such date, time and place, to the person or entity making the request. The Village Clerk shall also give such notice to the owner(s) of the subject property, and owner(s) of any property abutting, adjoining or opposite the subject property, as the names and addresses of such owners appear on the Village tax rolls. Any notice pursuant to this paragraph shall be given by regular mail at least ten (10) days prior to the scheduled date.
- D. At such designated date, time and place, or at any continuation of such meeting, the Board of Trustees shall consider such request, and thereafter render its determination in its sole discretion. As part

of its consideration of the request, the Board of Trustees may solicit the advice and comments of the any governmental official, agency or emergency service provider as the Board may deem appropriate.

§95-7. Governing Principles For Assigning or Designating Addresses. The principles set forth in this section shall be primary considerations in making any determination to establish, maintain or change an address. No address shall be designated, established, or maintained pursuant to this chapter contrary to these principles in the absence of compelling reasons.

- A. Address numbers shall be in sequential order and shall be either odd or even consistent with the existing numbering system for nearby properties.
- B. An address shall not include a prefix or suffix, or a letter or fraction.
- C. An address should not be, or create the likelihood of being, confusing or unclear as to the location of the subject property.
- D. An address should not be likely to cause, nor create a likelihood of, misdirection, confusion or delay in the response of government authorities or emergency service providers, or in the location or identification of a property by delivery services.

§95-8. Notifications in the Event of Designation or Change of Address.

- A. In the event that the Board of Trustees approves a requested number, the Village will advise all appropriate agencies of such change.
- B. The owner of the property or building to which an address number is assigned shall be responsible for notifying the global positioning system of the number change.
- C. Prior to the change of any existing address made at the request of the owner, the owner shall execute and deliver to the Building Official a notarized form prepared by the Village in which the owner agrees, on behalf of the current owner and all future owners of the subject property, to indemnify and hold the Village harmless from all liability, responsibility and expenses, including reasonable attorneys' fees, related to or arising out of the address change."

Section two. Separability. The provisions of this local law are separable, and if any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section three. This local law shall not apply to any pending prosecution for any violation of the Code of the Village of North Hills, nor to any prosecution for any such violation which may have occurred prior to the effective date of this local law. Each such prosecution shall proceed and continue, and in the event of a conviction for such violation the applicable penalty for such violation shall be as provided in the Village Code as of the date of such violation.

Section four. Effective Date. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.