



MEMORANDUM

To: Mayor and City Councilors

From: Rich Olson, City Manager
Angela Cole, Assistant to the City Manager

Date: April 24, 2017

Re: Consideration – Adoption of Ordinance for Street Closing Requests Involving State Roadways within Municipal Corporate Limits

BACKGROUND:

On July 31, 2015, North Carolina Department of Transportation (NCDOT) Chief Engineer, Michael L. Holder provided notice to Division Engineers, including Jerry Jennings of Highway Division 1 (which covers Camden, Currituck, Dare, Gates, Pasquotank and Perquimans Counties), that the new guidelines concerning authorization to close a State roadway so as to conduct a special event were effective immediately. The policy recognizes that counties and municipalities have the statutory authority to hold events that they sponsor or are responsible for, and thereby, can adopt a local ordinance declaring the purpose, date and duration for the closing of a local roadway or a State roadway within the local jurisdiction. This type of ordinance does not require a public hearing. Advance notice and a copy of the adopted ordinance must be provided to the Division office.

ANALYSIS:

The Elizabeth City Downtown, Inc. Annual Potato Festival Committee Chairperson has filed application for a City of Elizabeth City Special Event Permit (SEP). Included in the application for SEP is an additional request for street closings of several local and State-controlled roadways. The State street closing schedule is as follows:

Date(s) and Times: 10:00 a.m. Tuesday, May 16, 2017 until 3:00 a.m. Sunday, May 21, 2017

Route Description(s): S Water/Southern Avenue Street (SR 34/1164) between E Ehringhaus Street (US Business Highway 17) and Shepard Street; E Ehringhaus Street, westbound lanes from S McMorrine Street to S Water Street (SR 34/1164)

Date(s) and Times: 6:00 p.m. Thursday, May 18, 2017 until 3:00 a.m. Monday, May 23, 2017

Route Description(s): E Ehringhaus Street (US Business Highway 17), eastbound lanes from McMorrine Street to S Water Street; S Water Street (SR 34/1164) from E Ehringhaus Street (US Business Highway 17) to E Church Street

Date(s) and Times: 10:00 a.m. Friday, May 20, 2017 until 3:00 a.m. Monday, May 23, 2017

Route Description(s): S Water Street (SR 34/1164) from E Church Street to E Fearing Street

Date(s) and Times: 1:00 p.m. Friday, May 20, 2017 until 3:00 a.m. Monday, May 23, 2017

Route Description(s): South and North Water Street (SR 34/1164) from E Fearing Street to E Elizabeth Street

Street closings are to commence as per the schedule and continue through 6:00 p.m. on Sunday, May 21, 2017. All roadways and public spaces are planned to be cleaned of festival litter and reopened by 3:00 a.m. Monday, May 22, 2017. The *2017 North Carolina Potato Festival Preliminary Festival Layout with Street Closings* depicting the list above is attached for your reference.

Staff sent the requisite advance notice to NCDOT on Thursday, April 13, 2017. Staff does not object to the street closing schedule as proposed. City personnel and regional agencies will be coordinating emergency response, alternative vehicular traffic routes, and safe pedestrian activity for the duration of the event.

STAFF RECOMMENDATION:

By motion, adopt the attached ordinance declaring street closings for the Annual North Carolina Potato Festival.

MAYOR
JOSEPH W. PEEL
MAYOR PRO-TEM
ANITA HUMMER
CITY MANAGER
RICHARD C. OLSON
CITY CLERK
VIVIAN WHITE, NCCMC



CITY COUNCIL MEMBERS
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CITY OF ELIZABETH CITY

April 13, 2017

Mr. Jerry Jennings, PE
Division Engineer
NCDOT Highway Division 1
113 Airport Drive, Suite 100
Edenton, NC 27932

Re: Notification to Close Streets for the *Elizabeth City Annual North Carolina Potato Festival*, May 19 – 21, 2017

Dear Jerry:

This is notification of our planned *Elizabeth City Annual North Carolina Potato Festival* scheduled for May 19, 2017 through May 21, 2017, on various streets in the historic downtown area as follows:

Date(s) and Times: 10:00 a.m. Tuesday, May 16, 2017 until 3:00 a.m. Sunday, May 21, 2017
Route Description(s): S Water/Southern Avenue Street (SR 34/1164) between E Ehringhaus Street (US Business Highway 17) and Shepard Street; E Ehringhaus Street, westbound lanes from S McMorrine Street to S Water Street (SR 34/1164)

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We would appreciate your reply as to whether the Division 1 Office is aware of any other special events scheduled for these locations, have any maintenance or other activities planned for the referenced area, or have any other concerns during the time of our festival.

If you have questions, please contact me at (252) 337-6864 or acole@cityofec.com.

Sincerely,

Angela B. Cole
Assistant City Manager

ORDINANCE #2017-04-_____

AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE ANNUAL NORTH CAROLINA POTATO FESTIVAL

WHEREAS, the City Council of Elizabeth City acknowledges a long tradition of providing an annual springtime festival for the pleasure of its citizens; and

WHEREAS, the City Council of Elizabeth City acknowledges its citizens realize a financial benefit from holding the annual North Carolina Potato Festival event; and

WHEREAS, the City Council of Elizabeth City acknowledges the festival event requires approximately six days to install signing and traffic control, amusement and entertainment structures and equipment, food and other retail vendors, and other attractions, and also requires approximately ten (10) hours for removing same, and litter;

NOW THEREFORE BE IT ORDAINED, by the City Council of Elizabeth City pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

Date(s) and Times: 10:00 a.m. Tuesday, May 16, 2017 until 3:00 a.m. Sunday, May 21, 2017

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This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around the parade route.

SECTION I. EFFECTIVE DATE: This Ordinance, as revised herein shall take effect immediately upon adoption.

SECTION II. SEVERABILITY CLAUSE. If any section, or part of provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the City Council of the City of Elizabeth City in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall

remain in full force and effect. .

READ, CONSIDERED, AND ADOPTED at a regular meeting of the City Council of the City of Elizabeth City, North Carolina, during which a quorum was present, held on the 24th day of April, 2017.

Joseph W. Peel
Mayor

Attest:

Vivian D. White, CMC/NCCMC
City Clerk