



# MEMORANDUM

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**To:** Mayor and City Councilors

**From:** Rich Olson, City Manager  
Angela Cole, Assistant City Manager

**Date:** September 22, 2016

**Re:** **Consideration** – Street Closing Request for the Rescheduled National Night Out Against Crime event

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***BACKGROUND:***

As of July 31, 2015, North Carolina Department of Transportation (NCDOT) established guidelines concerning authorization to close a State roadway so as to conduct a special event. 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.

During the July 11, 2016 Regular Meeting the City Council, in accordance with the NCDOT rules, the Council adopted an ordinance allowing street closing so as to facilitate the Elizabeth City Police Department hosting their annual National Night Out special event. However, on the day of the event, our northeast region experienced a torrential downpour. The heavy rain resulted in flash flooding and downed powerlines. Police personnel and other first responder resources had to be redirected to the safety of our citizens. The National Night Out event was canceled. This request for street closing is to enable the rescheduled, Community Night Out event.

***ANALYSIS:***

On September 20, 2016, the City Manager's Office received internal communication from Police Officer III, T.J. Mitchell applying for a City of Elizabeth City Special Event Permit (SEP). Included in the application for SEP is additional request for street closing of local

and State-controlled roadways. The Department requests to close the following streets, or portions thereof, beginning 1:00 p.m. until 9:00 p.m. on Tuesday, October 25, 2016:

- E Ehringhaus Street (US Business Highway 17) from the S McMorrine Street intersection, eastward to the S Water Street (SR 34/1164) right-of-way
- S Water Street/Southern Avenue (SR 34/1164) – Shephard Street intersection westward along Shephard Street to the Museum of the Albemarle egress driveway
- S Water Street (SR 34/1164) from the Shephard Street intersection, north to the E Church Street intersection

All roadways and public spaces are planned to be cleaned of festival liter and reopened by 11:00 p.m. Tuesday, October 25, 2016.

Staff sent the requisite advance notice to NCDOT on Monday, September 20, 2016. NCDOT 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 2016 Community Night Out event.

**ORDINANCE #2016-09-\_\_\_\_\_**

**AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE ANNUAL NATIONAL NIGHT OUT EVENT**

**WHEREAS**, the City Council of Elizabeth City acknowledges a long tradition of providing an annual National Night Out for the pleasure of its citizens; and

**WHEREAS**, the City Council of Elizabeth City acknowledges its citizens realize a financial and public safety benefit from holding the annual National Night Out event; and

**WHEREAS**, the National Night Out event previously scheduled for Tuesday, August 2, 2016 was canceled due to inclement weather and incident recovery; and

**WHEREAS**, the value of hosting the annual event for the community remains, and as such, has been rescheduled and renamed Community Night Out; and

**WHEREAS**, the City Council of Elizabeth City acknowledges the festival event requires approximately three hours to install signing and traffic control, amusement and entertainment structures and equipment, food and other retail vendors, and other attractions, and also requires approximately two (2) 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:

- |                           |   |
|---------------------------|---|
| <b>Date:</b>              | Tuesday, October 25, 2016   |
| <b>Time Duration:</b>     | 1:00 p.m. until 11:00 p.m.  |
| <b>Route Description:</b> | E Ehringhaus Street (US Business Highway 17) from the S McMorrine Street intersection, eastward to the S Water Street (SR 34/1164) right-of-way<br><br>S Water Street/Southern Avenue (SR 34/1164) – Shephard Street intersection westward along Shephard Street to the Museum of the Albemarle egress driveway<br><br>S Water Street (SR 34/1164) from the Shephard Street intersection, north to the E Church Street intersection |

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

**SECTION I. EFFECTIVE DATE:** This Ordinance 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 26<sup>th</sup> day of September, 2016.

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Joseph W. Peel  
Mayor

*Attest:*

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Vivian D. White, CMC/NCCMC  
City Clerk



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# MEMORANDUM

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*RESPECT    PROFESSIONALISM    HONESTY    INTEGRITY    FAIRNESS*

TO:            Rich Olson, City Manager  
                  Angela Cole, Assistant City Manager

FROM:         P.O.III TJ Mitchell

Xc:            Jason Davidson, NCDOT, Highway Division

DATE:         09/20/2016

REF:           Street Closing Request for Annual National Night Out Against Crime

On behalf of the Elizabeth City police Department, I am writing to request permission to close a portion of state roads, city streets and city parks in downtown Elizabeth City to accommodate the 2016 Community Night Out Against Crime celebration.

The department requests to close the following streets, or portions thereof, beginning 1:00 p.m. on Tuesday, October 25, 2016, the event will end at 9:00 p.m.

- East Ehringhaus Street from the South McMorrine Street intersection, eastward to the South Water Street right away
- South Water Street/Southern Avenue intersection at Shepard Street to exit of the Museum of the Albemarle.
- South Water Street to East Church Street (by the daily advance building).

If you have any questions about this request please feel free to contact me at (252) 621-7111.

**Police Department**  
**City of Elizabeth City, P. O. Box 347, Elizabeth City, NC 27907-0347**  
**Phone: (252) 335-4321 – Fax (252) 338-0128**

MAYOR  
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MAYOR PRO-TEM  
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RICHARD C. OLSON  
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JOHNNIE B. WALTON

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## CITY OF ELIZABETH CITY

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September 21, 2016

Mr. Jason Davidson  
Division Traffic Engineer  
NCDOT Highway Division 1  
113 Airport Drive, Suite 100  
Edenton, NC 27932

Re: Notification to Close Streets for the rescheduled *Elizabeth City Police Department Annual National Night Out*, October 25, 2016

Dear Mr. Davidson:

This is notification of our planned *Elizabeth City Police Department Annual National Night Out* scheduled to occur in the historic downtown area and request for closing of the following streets, or portions thereof, beginning 1:00 p.m. until 9:00 p.m. on Tuesday, October 25, 2016:

- E Ehringhaus Street (US Business Highway 17) from the S McMorrine Street intersection, eastward to the S Water Street (SR 34/1164) right-of-way
- S Water Street/Southern Avenue (SR 34/1164) – Shephard Street intersection westward along Shephard Street to the Museum of the Albemarle egress driveway
- S Water Street (SR 34/1164) from the Shephard Street intersection, north to the E Church Street intersection

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](mailto:acole@cityofec.com).

Sincerely,

Angela B. Cole  
Assistant City Manager