

# BOARD OF ALDERMEN

ITEM NO. (2)

## AGENDA ITEM ABSTRACT

MEETING DATE: OCTOBER 23, 2007

**SUBJECT: PUBLIC HEARING TO CONSIDER THE ADOPTION OF A TIME LIMITED ANTI-LINGERING ORDINANCE FOR THE AREA AROUND THE INTERSECTION OF DAVIE RD. AND JONES FERRY RD.**

<b>DEPARTMENT: MANAGER'S OFFICE</b>	<b>PUBLIC HEARING: NO</b>
<b>ATTACHMENTS:</b> A – Draft Ordinance B – Minutes from Sept. 18, 2007, Board of Aldermen meeting C – Staff report from Sept.18, 2007 meeting	<b>FOR INFORMATION CONTACT:</b> <b>Mike Brough, Town Attorney (929-3905)</b>

### PURPOSE

The purpose of this agenda item is for the Board to consider adopting a limited anti-lingering ordinance in response to the issues raised at a community meeting held on July 26, 2007, and at the Board of Aldermen meeting on September 18, 2007, both of which were attended by numerous members of the neighborhood surrounding the intersection in question.

This ordinance would be in effect daily in a circumscribed area near the intersection of Davie Rd. and Jones Ferry Rd. from 11:00a.m. through the afternoon and night until 5:00a.m. the next morning. The purpose of the ordinance is to reduce the trash and behavior problems occurring near the intersection without unduly restricting the right of people to seek work at that location. The Board will receive public comment prior to considering adoption of the draft ordinance.

### INFORMATION

This ordinance would be in effect at the aforementioned times in the public right of way 200 ft. north on Davie Rd. from its intersection with Jones Ferry Rd. and 200 ft. east and west on Jones Ferry from the intersection of Jones Ferry Rd. with Davie Rd.

In addition to numerous actions already being taken by town staff, this ordinance is an additional option to help the town control anti-social behavior occurring near that intersection without impeding the rights of individuals to seek work during the times when they are most likely to get work.

Issues occurring at this location, all raised at the July community meeting and further discussed on September 18<sup>th</sup>, include the following (all of which are also discussed further in the attached report):

1. Loitering / lingering
2. Trash accumulating in multiple locations
3. Public urination
4. Public consumption of alcohol

5. Trespassing
6. Potential for crime
7. Speeding traffic
8. Harassment / intimidation

**FISCAL IMPACT**

No fiscal impact

**RECOMMENDATION**

Town staff recommends that the Board consider adoption of this ordinance along with any findings per comments received at this public hearing.

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