

Please return to:
City Clerk's Office
Attn: Diana Schreiber (Dianalynn)
101 City Hall Plaza
Durham, NC 27701

CITY OF DURHAM

**ORDINANCE TO AMEND THE DURHAM CITY CODE PROVISION REGULATING THE CLOSING OF RIGHT-
OF-WAY WITHIN THE CITY**

WHEREAS, Durham City Code Section 62-17, as currently drafted, requires anyone closing streets or alleys dedicated to public use, to furnish the required documents to the city clerk; and

WHEREAS, it has been found that this process is unnecessarily burdensome for the applicant and the city clerk; and

WHEREAS, the Durham City/County Planning Department is the appropriate recipient of these documents and is already tasked with the job of distributing these applications to the appropriate reviewing entities in a timely manner, therefore,

BE IT ORDAINED BY THE DURHAM CITY COUNCIL:

SECTION 1. The Durham City Code Chapter 62, Article I, Sec. 62-17 Closing and Abandoning-Petitions, Filing Requirements is hereby amended by replacing existing Sec. 62-17 in its entirety, and replacing it with the following revised Sec. 62-17 Petitions to Close Streets and Alleys, Filing Requirements

62-17 Petitions to Close Streets and Alleys, Filing Requirements.

Any person, pursuant to G.S. 160A-299 and Durham City Charter § 51, may file a petition requesting the city council to close any street or public alley or any part of a street or public alley. The petition shall be in writing and shall be filed with the Durham City/County Planning Department. The petitioner or the petitioner's representative shall file with the petition the following:

- (1) A map or sketch showing the street or public alley or part thereof which the petitioner requests to be closed;
- (2) A description of the street or public alley or part thereof which the petitioner requests to be closed;
- (3) An area map showing the surrounding streets and public alleys within two blocks in all directions of the street or public alley or part thereof which the petitioner requests to be closed;
- (4) A statement of petitioner's reasons for requesting the closing; and
- (5) If the petitioner proposes to construct any building, structure, or part thereof on any part of the area of the street or public alley or part thereof which petitioner requests to be closed, a site plan or sketch illustrating the construction and location of such construction.

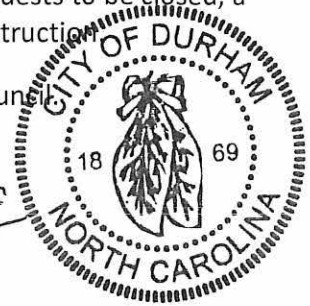
SECTION 2. This Ordinance shall be effective upon passage by the Durham City Council.

APPROVED BY
CITY COUNCIL

SEP 19 2022

Dianalynn Schreiber

CITY CLERK



NORTH CAROLINA
DURHAM COUNTY

I, Katrina Wood, Notary Public of the aforesaid County and State, certify that personally appeared before me this day Dianalynn Schreiber City Clerk of the City of Durham, who duly certified and acknowledged that the foregoing constitutes a true and accurate copy of the order adopted by the City Council of the City of Durham at its meeting held September 19, 2022, as the same is taken from and compared with the recordation of said order in Ordinance Book 39, at Pages 16005, in the Office of the City Clerk.

Witness my hand and notarial seal, this 21st day of September, 2022

Katrina Wood
Notary Public

My Commission Expires:

April 1, 2023

Katrina Wood
NOTARY PUBLIC
Durham County, NC
My Commission Expires April 01, 2023