Council Member _____ made a motion to approve the following resolution. A vote of ____.

RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE AND USE OF HONEYCUTT STREET FOR TEMPORARY FIRE AND POLICE FACILITIES

RESOLUTION NO. # R-26-XX

WHEREAS, the Town of Black Mountain ("Town") is responsible for providing essential municipal services, including fire protection, emergency response, law enforcement, and related public-safety services; and

WHEREAS, the Town requires temporary facilities to maintain and provide essential Fire and Police services during the period necessary to construct, repair, renovate, replace, or otherwise restore permanent municipal facilities; and

WHEREAS, the Town owns the property adjoining Honeycutt Street proposed for temporary use; and

WHEREAS, North Carolina General Statutes 160A-296 authorizes a municipality to exercise control over its public streets and expressly authorizes a municipality to close any street temporarily or permanently, subject to applicable law; and

WHEREAS, the Town Council has determined that the temporary closure and use of Honeycutt Street is necessary and appropriate to facilitate the continued operation of essential municipal Fire and Police services and to protect the health, safety, and welfare of the public; and

WHEREAS, the Town intends for the closure authorized by this Resolution to be temporary and does not intend by this action to permanently close, abandon, or discontinue Honeycutt Street as a public street; and

WHEREAS, the Town Council desires to establish the authority and conditions under which the temporary closure and use of Honeycutt Street shall occur.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Black Mountain, North Carolina, as follows:

Section 1. Temporary Closure Authorized
The Town Council hereby authorizes the temporary closure to vehicular and general public traffic on Honeycutt Street to accommodate the temporary municipal Fire and Police facilities.

Section 2. Temporary Use of Right-of-Way
The Town is authorized to use Honeycutt Street for the placement, installation, access, utility service, maintenance, and operation of temporary modular facilities and associated improvements necessary to provide municipal Police and Fire services.

Section 3. Temporary Nature of Closure
The closure authorized by the Resolution is intended to be temporary. Nothing in the Resolution shall constitute a permanent closing, abandonment, or discontinuance of Honeycutt Street. Upon completion of the need for the temporary facilities, the Town Manager shall take appropriate steps to reopen Honeycutt Street for public use, subject to any further action of the Town Council that may be required.

Section 4. Duration
The temporary closure shall remain in effect for the period reasonably necessary to accommodate the Town's temporary Fire and Police facilities and related operations. The Town Manager is authorized to establish the effective date of the closure and to administer the closure consistent with this Resolution. If circumstances require continuation of the temporary closure beyond the period originally anticipated by the Town, the Town Manager shall report the circumstances to the Town Council and may seek additional direction or authorization from the Council as appropriate.

Section 5. Traffic Control and Emergency Access
The Town Manager, Police Chief, Fire Chief and other appropriate Town officials are authorized to establish and implement appropriate barricades, signs, traffic control measures, emergency-access routes, and other measures necessary to protect public safety and maintain reasonable emergency access during the closure.

Section 6. Compliance With Applicable Requirements
The Town Manager is authorized and directed to coordinate with appropriate Town staff and governmental agencies to obtain any permits, approvals, inspections, utility authorizations, or other approvals that may be required by applicable Federal, State, or local law for the temporary facilities and their placement within the affected right-of-way.

Section 7. No Transfer of Ownership
Nothing in this Resolution shall be construed as conveying, abandoning, dedicating, or transferring any ownership interest in Honeycutt Street or the Town's right-of-way.

Section 8. Authority of Town Manager

The Town Manager is authorized to take all administrative actions reasonably necessary to implement this Resolution, including coordinating the placement and operation of the temporary facilities, establishing traffic control measures, coordinating utilities and site improvements, and communicating the temporary closure to the affected governmental agencies and the public.

Section 9. Effective Date
This Resolution shall become effective upon adoption.

ADOPTED this 12th day of October, 2026.

_____
C. Michael Sobol, Mayor

ATTEST:

_____
Wesley Barker, Town Clerk