

ORDINANCE #24-06:

AN ORDINANCE AMENDING SECTION 94.14 OF THE PINEHURST MUNICIPAL CODE

WHEREAS, the Village Council of the Village of Pinehurst adopted an ordinance dated October 20, 1980, establishing and implementing certain authorized police powers for the purpose of prescribing regulations governing conditions detrimental to the health, safety, and welfare of its citizens; and

WHEREAS, on September 13, 2011 the Village Council of the Village of Pinehurst adopted Ordinance 11- 25 which established the general ordinances of the Village of Pinehurst as revised, amended, restated, codified, and compiled in book form and declared that these shall constitute the "Village of Pinehurst, North Carolina Municipal Code"; and

WHEREAS, the Municipal Code will be subsequently amended from time to time as conditions warrant; and

WHEREAS, the Village Council has determined that it is in the best interest of the citizens of Pinehurst to amend Section 94.14 of the Pinehurst Municipal Code in order to better regulate and manage temporary events held within the Village.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in the regular meeting assembled this 12th day of March 2024 as follows:

SECTION 1. That the following amendments be made to Section 94.14:

REGULATED OR PROHIBITED ACTIVITY

§ 94.14 TEMPORARY EVENTS.

(A) Temporary event permits are hereby required for any temporary events that are deemed beneficial to the community as a whole. These events must be held in conjunction with one of the following criteria. Only events meeting the following criteria are eligible for a temporary event permit.

(1) Major civic and cultural events, grand openings, and groundbreaking ceremonies that impact Village resources (i.e. police, fire, parks and recreation and public services);

(2) Athletic events, including those which utilize Village property, public streets or rights-of-way;

(3) Parades, fairs, festivals, or other ancillary entertainment or hospitality activities associated with major golf tournaments or other large-scale temporary events hosted in the Village;

(4) Other temporary events, deemed by Village staff, as having a community-wide significance and benefit.

(B) The Parks and Recreation Department, upon a recommendation from appropriate Village Departments, may issue a temporary event permit only upon finding that the temporary event satisfies the following requirements:

(1) If the property is undeveloped, it contains sufficient open space to support the temporary use;

(2) If the property is developed, it contains an area that is not actively used but which would support the proposed temporary use without encroaching into or creating a negative impact on existing buffers, open space, landscaping, traffic movements, or parking space availability;

(3) Tents and other temporary structures will be located so as to not interfere with the normal operations of any permanent use located on the property;

(4) Off-street parking is adequate to accommodate the proposed temporary event. Available public parking and other off-site parking accommodations may be considered to count toward the proposed temporary event. Other factors may include, but are not limited to, proximity to the event, shared parking agreements, or shuttle services;

(6) Restroom facilities are provided and adequate to accommodate the proposed temporary event;

(7) A plan for the disposal of solid waste generated as a result of the temporary event will be implemented and all trash and recycling receptacles will be promptly serviced and removed if temporary;

(8) A plan for security and safety will be implemented on and around the site of the event, including sufficient staffing, provision for pedestrian safety and traffic routing;

(9) A plan for public health and safety on, around, and outside the site of the event will be implemented, including a showing that the event will not likely cause interference with the movement of emergency vehicles to such an extent that adequate police, fire, or other emergency services cannot be provided throughout the Village and will not likely cause unreasonable or unwarranted disruption to vehicular or pedestrian traffic;

(10) All inspections and permits required by applicable construction codes have been met and approved by the Planning and Inspections Department and the Fire Department;

(11) The temporary event meets all other applicable requirements of the Village of Pinehurst Codes and Ordinances.

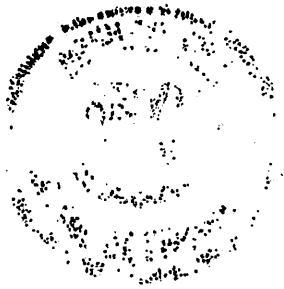
(C) The Parks and Recreation Department, upon a recommendation from appropriate Village Departments, may deny a temporary event permit for any of the following reasons:

(1) When there are numerous and competing requests for temporary event permits, the Parks and Recreation Department may select one application over another based on the following criteria:

(i) previous performance of similar activities within the Village;

(ii) other and/or prior demonstration of ability to produce a high-quality event;

(iii) superior ability to mitigate potential disruption to neighboring uses; and



- (iv) deference to application first received.
 - (2) Previous poor performance when issued a temporary event permit;
 - (3) Proposed temporary event is not compatible with community standards and norms;
 - (4) Proposed temporary event strains Village resources, including staffing or use of facilities, roads or equipment;
 - (5) Proposed temporary event is disruptive to neighboring uses and such disruptions cannot be effectively mitigated;
 - (6) Failure on behalf of the applicant to satisfy the requirements of 94.14 (B).
- (Ord. 13-16, passed 4-23-13) Penalty, see § [94.99](#)

SECTION 2. That these Ordinance amendments shall be and remain in full force and effect from March 12, 2024.

THIS ORDINANCE is passed and adopted this 12th day of March 2024.



Attest:

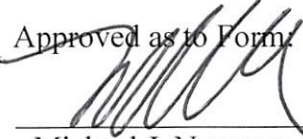

Shannon Konstantinou, Village Clerk

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By:


Patrick Pizzella, Mayor

Approved as to Form:


Michael J. Newman, Village Attorney