



Village of Pinehurst Code Compliance Overview

Code Compliance - Introduction



- Staff introduction
- What is Code Compliance?
 - Zoning code (PDO)
 - Applies to entire planning jurisdiction including ETJ
 - Zoning regulations
 - Unpermitted structures, signs
 - Municipal code (nuisance codes/general welfare/police power)
 - Applies to municipal (corporate) limits only
 - Overgrown weeds
 - Junk vehicles
 - Garbage cans



Code Compliance - Introduction



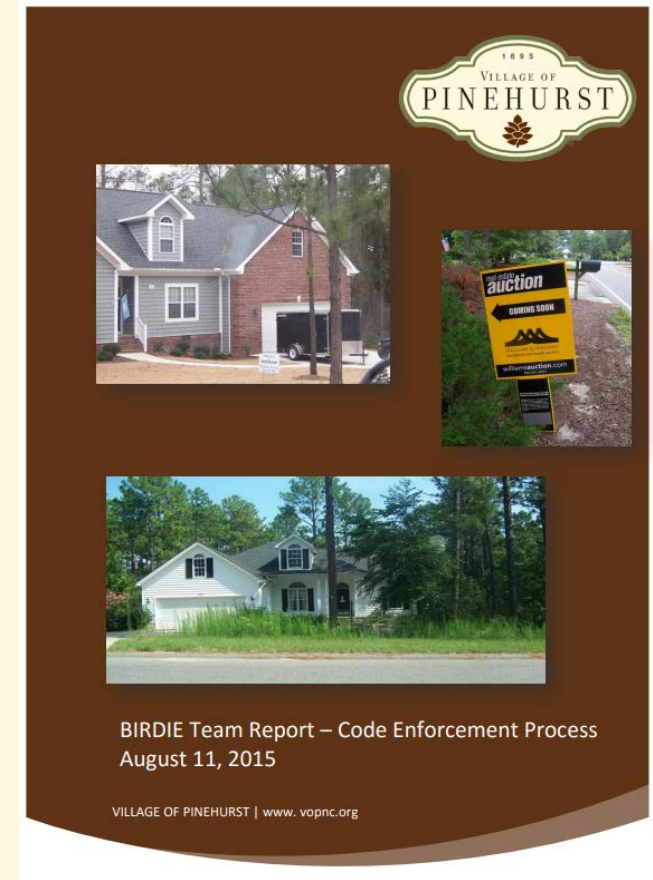
- What is not Code Compliance?
 - Animal Control
 - HOA regulations
 - Civil disputes
 - Noise
 - Right-of-way encroachments (parking, development, etc.)



Code Compliance - Background



- BIRDIE and community survey results
 - proactive vs reactive complaints (targeted neighborhood patrols), big 4, neighborhood breakdown, days to resolve
- Inspections/Investigations
 - sworn officials
 - rights to enter (curtilage)



The 4th Amendment

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.



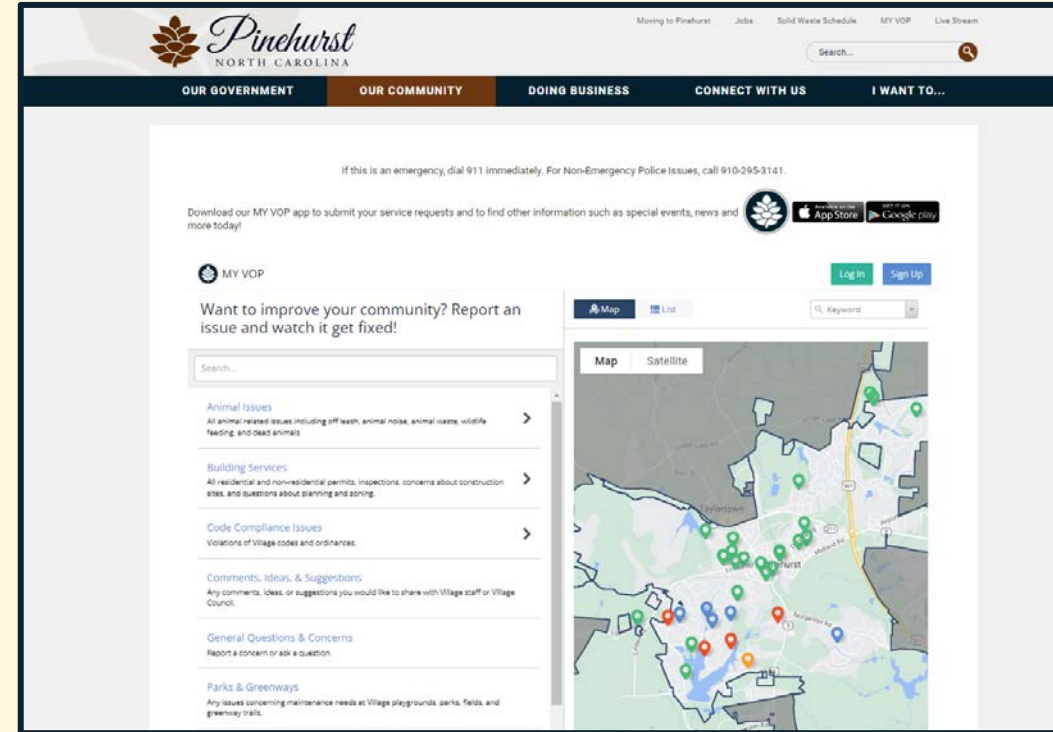
Code Compliance - Complaints



- Complaint submittal
 - Hotline
 - MyVOP
 - Contact staff
- Anonymous complaints
 - Public record



Code Compliance Hotline:
910-295-1900, Option 1



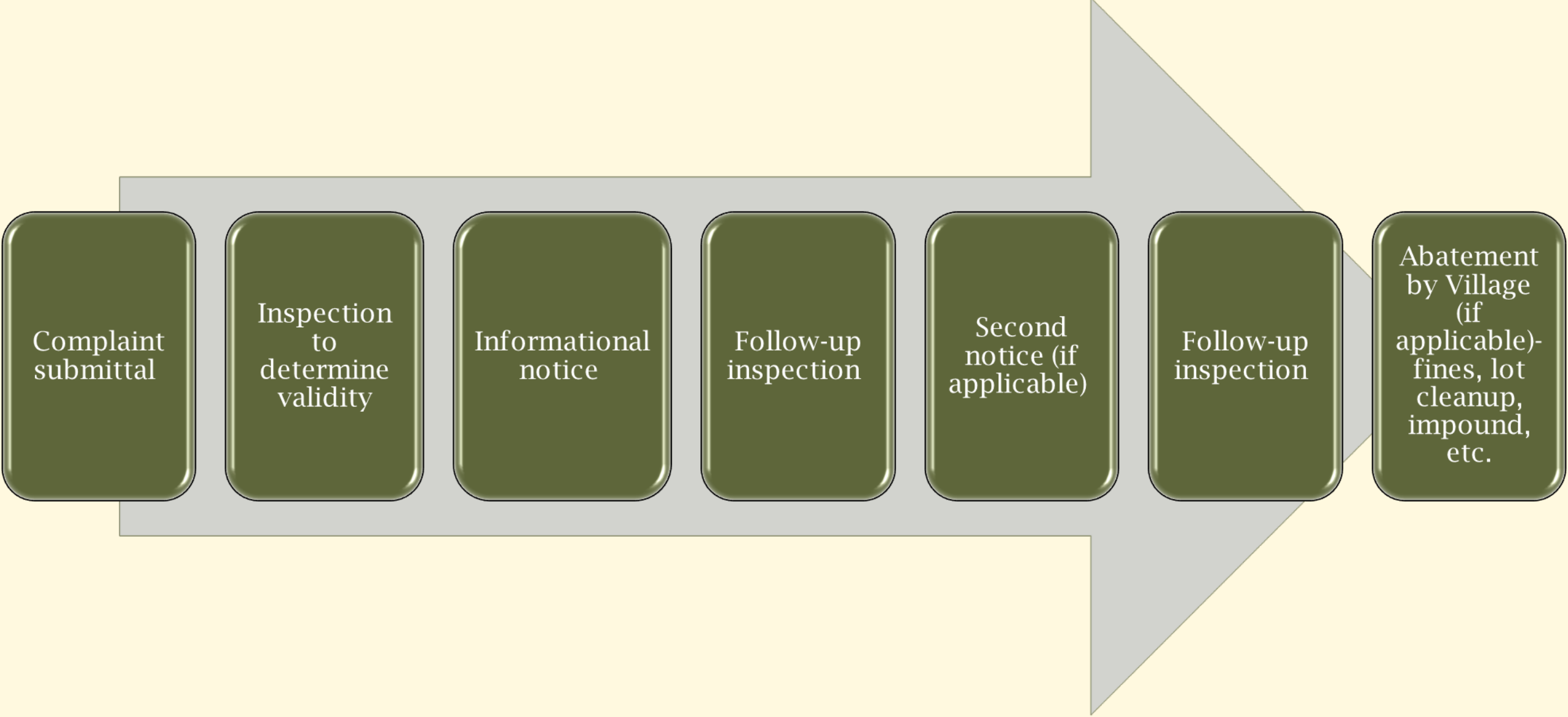
Common complaints that are not code violations:

- Licensed vehicles (not considered commercial or oversized) parked in front/rear/side yards and not in right-of-way
- Fences and barriers under 18" in height
- Overgrown bushes/hedges/trees
- Paint chipping or fading and mold/mildew on structure
- Grills/lawn equipment/toys in yard
- Trash bins stored behind front line of home and within 5' of side or rear of home but visible from roadway or adjacent property
- Garage door left open
- Encroachment issues

Common complaints that are code violations:

- Trash cans out too early/too late or cans not stored behind front line of home or within 5' of home
- Unauthorized vehicles (includes unlicensed vehicles, boats, trailers, campers, RVs, commercial vehicles)
- Signs (includes off-site business signage, political, yard/estate sale, special event, realty)
- Weeds over 8" tall on developed lots (mainly applied to grassed lots)
- Combustible trees/debris
- Unpermitted fences over 18" or damaged fences
- Play equipment in right-of-way or not 10' from side/rear property lines
- Development without a permit (includes accessory structures, PODs, propane tanks, pools, patios, decks, etc.)
- Chickens/roosters/livestock in zoning district other than R210

Code Compliance – Due Process Requirements



Complaint submittal

Inspection to determine validity

Informational notice

Follow-up inspection

Second notice (if applicable)

Follow-up inspection

Abatement by Village (if applicable)- fines, lot cleanup, impound, etc.

Code Compliance – Due Process Requirements



Notice of Violation (NOV)

- A notice must be given.
- This is the staff determination that there is a violation of an ordinance.
- Must contain sufficient enough information to why there is a violation and how it may be remedied.
- Must be sent to the property owner, permit holder (if different than owner), and tenant where applicable.
- Delivered by personal delivery, electronic delivery, or first-class mail.
- Notices for zoning violations may be appealed to the Zoning Board of Adjustment (BOA).

The image shows a sample Notice of Violation (NOV) letter from the Village of Pinehurst. The letter is dated January 22, 2024, and is addressed to Mr. & Mrs. Joe Resident at P.O. Box 1895, Pinehurst NC 28374. The letter explains that the Village staff recently observed a violation regarding the placement of receptacles. It states that receptacles must be located either inside the garage or within five feet of the home behind the front building line of the home. A diagram is included to show allowable cart storage locations. The diagram shows a house with a front building line and a street front. A legend indicates that carts must be placed behind the front building line and within 5 feet of the home, if not stored in an enclosed structure. The diagram also shows the front building line and the street front. The letter concludes with an apology and a request to contact the Code Compliance Staff at (910) 295-8665 if the resident feels they have received the letter in error. The letter is signed by the Code Compliance Staff and includes the Village of Pinehurst logo and the text 'HISTORY, CHARM, AND SOUTHERN HOSPITALITY'.

Village of PINEHURST
1895
HISTORY, CHARM, AND SOUTHERN HOSPITALITY

January 22, 2024

Mr. & Mrs. Joe Resident
P.O. Box 1895
Pinehurst NC 28374

Dear Resident:

I am writing in regard to your property located at **LOCATION**. Village staff recently observed **VIOLATION**. You may not be aware, but Pinehurst regulates **REGULATION**. Receptacles must be located either inside the garage or within five feet of the home behind the front building line of the home. See below for a detailed diagram showing allowable cart storage locations.

Legend:
■ Carts must be placed behind the front building line & within 5 feet of the home, if not stored in an enclosed structure
— Front building line

Acceptable Cart Placement Locations

If you feel as though you have received this letter in error, I apologize and ask that you contact me at (910) 295-8665. Thank you for your cooperation with respect to this matter.

Sincerely,
CODE COMPLIANCE STAFF

PLANNING & INSPECTIONS

Code Compliance – Challenges



Common Challenges

- Nature of the job
 - Angry or irate customers
 - Empathy for others
- Gaining access to the property
 - Curtilage
 - First & Fourth Amendment Rights
- Finding or contacting the owner
 - Absentee owners
 - Mailing issues
- Expectations (public, elected officials)
 - Social media platforms
 - misinformation
- No jurisdiction
- Paperwork, record keeping, processes etc.
- Unenforceable ordinances, ambiguity
- Property owners who are immune to enforcement



Code Compliance – Complaints by Neighborhood



Total # of Complaints Due By Neighborhood FY'23

	Lake Pinehurst; Burning Tree; St. Andrews	Morganton; Monticello	Old Town; Linden Rd; Donald Ross; Clarendon Gardens	Pinehurst #6	Pinehurst #7; Lawn & Tennis; CCNC	Pinehurst Trace; Pinedale; Midland CC; Taylorhurst	Pinewild	Village Acres	TOTALS
CODE ENFORCEMENT	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>
Fences	24	1	8	12	0	1	0	8	54
Garbage Cans	187	17	52	176	0	20	0	305	757
Signs	27	13	53	20	0	8	0	29	150
Vehicles	75	21	13	22	1	16	0	91	239
Weeds or Unsightly Yards	21	8	11	20	0	1	0	50	111
Other Code Compliance Issues	44	10	13	19	1	6	0	45	138
SUBTOTAL	378	70	150	269	2	52	0	528	1,449

Code Compliance – Complaints by Neighborhood



Total # of Complaints Due By Neighborhood FY'24 Year to Date

	Lake Pinehurst; Burning Tree; St. Andrews	Morganton; Monticello	Old Town; Linden Rd; Donald Ross; Clarendon Gardens	Pinehurst #6	Pinehurst #7; Lawn & Tennis; CCNC	Pinehurst Trace; Pinedale; Midland CC; Taylorhurst	Pinewild	Village Acres	TOTALS
CODE ENFORCEMENT	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>	<i>Total #</i>
Fences	7	8	7	4	0	5	0	7	38
Garbage Cans	102	34	39	98	2	0	0	182	457
Signs	39	9	31	17	1	2	0	30	129
Vehicles	44	12	12	23	0	2	0	43	136
Weeds or Unsightly Yards	22	12	5	17	0	0	0	42	98
Other Code Compliance Issues	29	7	7	5	1	3	0	27	79
SUBTOTAL	243	82	101	164	4	12	0	331	937

- 88% were reported by staff
- 84% were valid

- 98% have been closed
- 12.88 median # of days to close out a reported violation

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910-295-8665

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910-420-1670