

ORDINANCE #14-14:

AN ORDINANCE AMENDING SECTION 130.05 TO THE PINEHURST MUNICIPAL CODE AS IT PERTAINS TO ALCOHOLIC BEVERAGES.

THAT, 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 adopted 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, North Carolina General Statute §18B-300(c) indicates a city may regulate or prohibit the consumption, possession of, and possession of open containers of malt beverages and unfortified wine by local ordinance;

WHEREAS, the Village Council of the Village of Pinehurst finds that the allowance of open containers during permitted special events can be adequately managed by the Village’s law enforcement and can be beneficial to the economic vitality of the Village Center;

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of Pinehurst, North Carolina, in a regular meeting assembled this 8th day of April, 2014 as follows:

SECTION 1. That Section 130.05 of the Village of Pinehurst, North Carolina Municipal Code is hereby amended, which shall read as follows:

§ 130.05 ALCOHOLIC BEVERAGES

(D) Possession and consumption of malt beverages or unfortified wine at special events.

(3) Notwithstanding the provisions of sections 130.05 (A), (B) and (C) of this Code, the possession of malt beverages and unfortified wines, the possession of open containers of malt beverages and unfortified wines, and their consumption shall be lawful on any property owned, occupied, or controlled by the Village within the boundary area described below, **excluding public**

streets, unless they are temporarily closed to regular traffic, for the dates of June 7, 2014 through June 22, 2014.

Bounded to the west by Carolina Vista Drive, bounded to the north by Ritter Road East and Chinquapin Road from Barrett Road to Magnolia Road (extending to the North on Magnolia Road from Dogwood Road to Community Road), bounded to the east by Dogwood Road to Cherokee Road East to Village Green Road East, then bounded to the south by NC Highway 2 to the intersection of Carolina Vista Drive.

SECTION 2. That all local ordinances in conflict herewith are hereby repealed and declared null and void from and after the date of adoption of this ordinance.

SECTION 3. That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

THIS ORDINANCE passed and adopted this 8th day of April, 2014.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy Roy Fiorillo
Nancy Roy-Fiorillo, Mayor

Attest:

Lauren M. Craig
Lauren M. Craig, Village Clerk

Approved as to Form:

Michael J. Newman
Michael J. Newman, Village Attorney