

ORDINANCE #14-17:

AN ORDINANCE AMENDING CHAPTER 31 OF THE PINEHURST MUNICIPAL CODE AS IT PERTAINS TO VILLAGE ORGANIZATIONS.

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, the Village Council of the Village of Pinehurst established the Historic Preservation Commission by Resolution 06-05 and is now desirous of updating the structure of the Commission and to codify it into the Pinehurst Municipal Code;

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of Pinehurst, North Carolina, in a regular meeting assembled this 22nd day of April, 2014 as follows:

SECTION 1. That Chapter 31 Village Organizations of the Village of Pinehurst, North Carolina Municipal Code is hereby amended, which shall read as follows:

HISTORIC PRESERVATION COMMISSION

§ 31.10 CREATED

Pursuant to authority contained in Article 19, Chapter 160A of the General Statutes of North Carolina, there is hereby created an Historic Preservation Commission for the Village of Pinehurst, with all the powers and authority granted to said commission in said Article 19.

§ 31.11 MEMBERS; APPOINTMENT

(A) Number of members. The Village of Pinehurst Historic Preservation Commission shall consist of 5 members, all of whom shall be full-time residents of the Village or the extraterritorial jurisdiction beyond the corporate limits of the Village.

(B) Appointment of members. Members shall be appointed by the Village Council. Members shall be appointed for terms of two (2) years or until their successors are appointed and qualified. Vacancies occurring for reasons other than the expiration of terms shall be filled by the Village Council as they occur for the period of the unexpired term. Faithful attendance at most (80%) of the meetings of the Commission is considered a prerequisite for the maintenance of membership.

(C) Membership term limit. Members are limited to six (6) years total service. After six (6) years of service, a former member must be off the Commission for one (1) year before being considered for re-appointment.

(D) Appointment of Chairperson and other officers. The Chairman of this Commission shall be appointed by the Village Council. Other officers as the commission deems necessary may be elected by the commission from its membership.

§ 31.12 MEETINGS.

The Village Clerk or other person as the Council may designate shall keep a record of the proceedings and attendance of members. The Commission shall hold at least one (1) meeting monthly, and all meetings shall comply with G.S. Chapter 143, Article 33C, having to do with open meetings.

§ 31.13 COMPENSATION.

All members of the Historic Preservation Commission shall serve without compensation.

§ 31.14 DUTIES IN REGARD TO HISTORIC PRESERVATION.

The Historic Preservation Commission shall have the powers and duties listed in Chapter 4, Section 4.6 of the Pinehurst Development Ordinance adopted May 24, 2005 as amended and the powers conveyed by North Carolina General Statutes 160A-400.7 through 160A-400.14. All votes of said Commission shall carry with a simple majority.

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 22nd 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