

ORDINANCE #13-16:

AN ORDINANCE ADDING SECTION 94.14 TO THE PINEHURST MUNICIPAL CODE AS IT PERTAINS TO TEMPORARY EVENTS.

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

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in work session assembled this 23rd day of April, 2013, as follows:

SECTION 1. That Section 94.14, Temporary Events, is added:

Chapter 94: Parks and Recreation

Regulated or Prohibited Activity

§94.14 Temporary Events

(A) Any person, firm or corporation is hereby required to secure a temporary event permit for events meeting one or more of the following criteria:

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

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

(3) Parades, Fairs, Festivals;

(4) Other temporary events of community-wide significance.

(B) The Parks and Recreation Department shall 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 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;

(5) Where the temporary event will occupy an existing parking area, the number of parking spaces left available will be no less than the minimum required in the Village of Pinehurst Codes and Ordinances for the principal, permanent use of the property;

(6) Restroom facilities are provided;

(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 and the Fire Department;

(11) The temporary event meets all other applicable requirements of the Village of Pinehurst Codes and Ordinances. Penalty, see §94.99

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 adopted this 23rd day of April, 2013.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy R. Fiorillo
Nancy R. Fiorillo, Mayor

Attest:

Lauren M. Craig
Lauren M. Craig, Village Clerk

Approved as to Form:

Michael J. Newman
Michael J. Newman, Village Attorney