

ORDINANCE #10-02:

AN ORDINANCE TO INCORPORATE THE ENGINEERING STANDARDS MANUAL AS A PART OF THE PINEHURST DEVELOPMENT ORDINANCE.

THAT WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance on the 24th day of May, 2005, for the purpose of regulating planning and development in the Village of Pinehurst and the extraterritorial area over which it has jurisdiction; and

WHEREAS, said Ordinance may be amended from time to time as circumstances and the best interests of the community have required; and

WHEREAS, a Public Hearing was held at 1:00 p.m. on December 15, 2009 in the Assembly Hall of the Pinehurst Village Hall, Pinehurst, North Carolina after due notice in The Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Village of Pinehurst, and its extraterritorial jurisdiction, for the purpose of considering proposed Pinehurst Development Ordinance text changes, at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to be heard as to whether they favored or opposed the proposed text amendments; and

WHEREAS, the Planning and Zoning Board has recommended that the Village Council incorporate the Engineering Standards Manual as a part of the Pinehurst Development Ordinance; and

WHEREAS, the Village Council, after considering all of the facts and circumstances surrounding the proposed amendments in the text of the Pinehurst Development Ordinance, have determined that it is in the best interest of the Village of Pinehurst and the extraterritorial jurisdiction that the Development Ordinance be further amended, making the amendments as requested;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in work session assembled on the 12th day of January, 2010, as follows:

SECTION 1. That the Pinehurst Development Ordinance of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by adding the following text amendments to incorporate the Engineering Standards Manual as a part of the Pinehurst Development Ordinance:

Section 1.8 Engineering Standards and Specifications Manual

The Village of Pinehurst Engineering Standards and Specifications Manual, along with all notations, references, and other information contained therein, is hereby

incorporated into and made part of this Ordinance. As part of this Ordinance, the Pinehurst Engineering Standards and Specifications Manual shall be amended only in accordance with the procedures set forth in Chapter 7 of this Ordinance.

Section 1.89 Severability

Section 2.2 Definitions

ENGINEERING STANDARDS: The standards and specifications contained in the Pinehurst Engineering Standards and Specifications Manual.

4.7.3 Village Engineer

(h) To prepare and maintain the Engineering Standards and Specifications Manual;
(i) (h) Such additional powers and duties as may be set forth for the Department elsewhere in this Ordinance and other ordinances of the Village.
(j) Minor deviations from the Engineering Standards can be allowed by the Village Engineer provided the intent and purpose of the standards are not compromised.

Section 5.5 Prerequisite Permits, Approvals, and Reviews for a Development Permit

The following typical permits, approvals, and reviews are required in order to receive a development permit, depending upon the character of the development:

(c) Compliance with the Engineering Standards and all other applicable conditions contained in this Ordinance.

5.14.2 General Provisions

(c) Approval and distribution of drawings and specifications required shall be coordinated by the Building Inspector and shall conform to the current edition of the North Carolina State Building Code **and the Pinehurst Engineering Standards and Specifications Manual.**

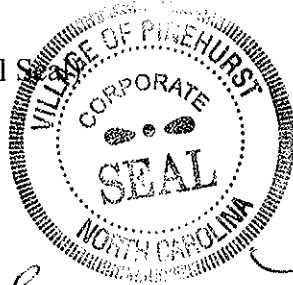
SECTION 2. That all ordinances or sections thereof in conflict herewith are hereby repealed and declared null and void from and after the date of adoption of this ordinance.

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

Adopted this 12th day of January, 2010.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)



By: _____

George P. Lane
George P. Lane, Mayor

Approved as to Form: _____

Michael J. Newman
Michael J. Newman, Village Attorney

Attest:

Linda S. Brown
Linda S. Brown, Village Clerk