

ORDINANCE #10-11:

AN ORDINANCE AMENDING CHAPTER VII OF THE PINEHURST MUNICIPAL CODE BY ADDING SECTION 7-20 USE OF EMINENT DOMAIN IN PRIVATE, GATED COMMUNITIES.

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, the Municipal Code has been subsequently amended from time to time as conditions warrant;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina, in Special Session assembled this 17th day of March, 2010, as follows:

SECTION 1. That Chapter VII of the Pinehurst Municipal Code is amended by inserting the following language as Section 7-20 Use of Eminent Domain in Private, Gated Communities:

7-20 USE OF EMINENT DOMAIN IN PRIVATE, GATED COMMUNITIES.

Notwithstanding the Village of Pinehurst's powers of eminent domain as set forth in N.C.G.S. §40A-3 (b) (1), the Village of Pinehurst shall not acquire by condemnation any property in a private, gated community located within the Village's municipal borders for the purpose of opening, widening, extending, or improving roads, streets, allies, and sidewalks or acquiring rights-of-way for streets, sidewalks and highways.

SECTION 2. That this Ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this the 17th day of March 2010.

(Municipal Seal)



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Virginia F. Fallon
Virginia F. Fallon, Mayor

Attest:

Linda S. Brown
Linda S. Brown, Village Clerk

Approved as to Form:
Michael J. Newman
Michael J. Newman, Village Attorney