

**ORDINANCE #10-42:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.10.2 WELL FIELD DEVELOPMENT REGULATIONS.**

**THAT WHEREAS,** the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance on the 24<sup>th</sup> 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 June 22, 2010 in the Training Room of the Pinehurst Fire Station #91, 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 amend Section 10.2.10.2 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 regular session assembled on the 27<sup>th</sup> day of July, 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 amendment to Section 10.2.10.2

**10.2.10.2 Well Field Development Regulations**

Within the Pinehurst Well Field the following regulations shall apply, and no development permit shall be issued without the permits and approvals required herein having been obtained:

(b) Irrigation Wells

**(6) Irrigation wells outside the Pinehurst Well Field shall meet the construction standard requirements listed below:**

**(i) Casings shall be grouted to a minimum depth of fifty (50) feet below the land surface.**

(d) Injection Wells

(1) Injection wells for the purpose of this ordinance are defined as wells drilled **any excavation that is cored, bored, drilled, jetted dug or otherwise constructed, whose depth is greater than its largest surface dimension and which is used or intended to be used, for the injection of fluids or solids into the subsurface or groundwater.** ~~to circulate groundwater through ground coupled heating and air conditioning units.~~

(2) An injection well may be drilled ~~only if groundwater is the only fluid to be circulated through the system.~~ **and used for the installation of vertical geothermal closed loop ground systems utilizing re-circulating fluids in accordance with Chapter 12 of the North Carolina State Mechanical Code.** ~~No chemicals may be added to the circulation system.~~

**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 27<sup>th</sup> day of July, 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