

ORDINANCE #09-32:

AN ORDINANCE AMENDING CHAPTER VII OF THE PINEHURST MUNICIPAL CODE BY ADDING SECTION 7-19 - VEHICLES IN RESIDENTIALLY ZONED DISTRICTS.

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 work session assembled this 13th day of October, 2009, as follows:

SECTION 1. That Chapter VII of the Pinehurst Municipal Code is amended by inserting the following language as Section 7-19 Vehicles in Residentially Zoned Districts:

7-19 **MOTOR VEHICLES IN RESIDENTIALLY ZONED DISTRICTS**

7-19.1 Unlicensed Vehicles

Unlicensed vehicles must be stored in a fully enclosed, permanent structure at all times.

7-19.2 Licensed Vehicles

a. No more than one licensed motor vehicle may be displayed for sale or trade on the premises at any time and such display of a given vehicle for sale or trade shall not be for a period exceeding thirty (30) days.

b. During a twelve-month period commencing January 1 and ending December 31 of each year, no more than two (2) such licensed motor vehicles shall be displayed for sale or trade on the premises. Further, no more than two (2) sales or trades of such licensed motor vehicles displayed for sale on the premises shall occur within the same twelve-month period.

c. No licensed motor vehicle, if not registered to the occupant of the premises or immediate family member of the occupant as the record title owner of the vehicle, may be displayed upon the premises for sale or trade.

d. A licensed motor vehicle displayed for sale or trade on the premises as provided herein may be located in the setback but not within the street right-of-way. Such vehicle must also be located on an improved surface meant for a driveway use.

7-19.3 Location of Vehicles for Sale

Vehicles for sale shall not be located on vacant parcels and shall only be located on the same parcel as the primary residence in which the vehicle's owner resides.

7-19.4 Must Comply with Other Sections of Code

All instances of the outside sale of motor vehicles must be in compliance with Village code, chapter 3-1 "Abandoned, Nuisance and Junked Motor Vehicles."

7-19.5 Registration of Vehicles for Sale

Prior to displaying a vehicle for sale or trade, the vehicle owner must register the sale of such vehicle with the Planning and Inspections Department of the Village of Pinehurst.

7-19.6 Administration and Enforcement

The Chief of Police and the Zoning Enforcement Officer shall be responsible for the administration and enforcement of this section. The Chief of Police shall be responsible for the administration and enforcement of this section for situations on public streets and highways within the Village and on property owned by the Village. The Zoning Enforcement Officer shall be responsible for the administration and enforcement of this section for situations on private property.

7-19.7 Penalty

Violations of the terms of this section shall subject the violator to the penalties and remedies, either criminal or civil or both, as set forth in Section 1-5 of this Code.

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

Adopted this the 13th day of October, 2009.

(Municipal Seal)



Attest:

Linda S. Brown
Linda S. Brown, Village Clerk

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: George P. Lane
George P. Lane, Mayor

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