

ORDINANCE #05-05:

AN ORDINANCE AMENDING SCHEDULE I, CHAPTER 7, AND SECTION 17 OF CHAPTER 7 OF THE PINEHURST MUNICIPAL CODE AS IT PERTAINS TO PARKING IN THE VILLAGE OF PINEHURST.

THAT WHEREAS, the Village Council of the Village of Pinehurst has previously enacted an ordinance on the sixteenth of January, 1984, prohibiting parking on certain streets and parts of streets, those streets codified as Schedule I of Section 7 of the Pinehurst Municipal Code; and

WHEREAS, said Section of the Code has been subsequently amended from time to time as conditions warrant; and

WHEREAS, the Village Council has determined that it is in the interests of Health, Safety, and Welfare of both the guests and the citizens of Pinehurst to prohibit parking during the week of the 2005 US Open at the designated locations listed below in Section 1, to close a certain section of road during the week of the 2005 US Open as described in Section 2, and to prohibit at all times the establishment of commercial parking operations or concessions without a permit issued by the Village of Pinehurst, as described in Sections 3, 4 and 5 below;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina, in regular session assembled this 26th day of April, 2005, as follows:

SECTION 1. That Schedule I – NO PARKING of Chapter 7 of the Pinehurst Municipal Code is hereby amended by adding the following streets and roads to the schedule of those designated as “No Parking”, except for those specific areas where signs and pavement markings clearly designate the existence of public parking, to be effective from June 12th through June 20th, 2005:

Cherokee
Palmetto
Everett
Laurel
Magnolia
Chinquapin
Community
Kelly
Fields
Dundee
Orange
Ritter
Village Green (East and West)

Short Road East of Page Road
Campbell
Dalrymple
Monticello (from Hwy #5 to Blake Blvd.)
Woods
McIntyre (Woods to Short)
Craig
Short Road West of Page Road
Shaw Road, Southeast
Azalea Road

SECTION 2. That the following streets will be closed by the Village to be effective from June 12th through June 20th, 2005:

Pine Tree Road, from St Andrews to Hwy #5, except for residents of Condominium complexes with driveway access on Pine Tree Road.

SECTION 3. That Section 17.1 Parking and/or Storage Prohibited is amended to read as follows: Commercial vehicles, oversized vehicles and trailers shall not be parked or stored in any residentially zoned districts or on any public right of way adjacent thereto unless they are kept within a totally enclosed structure; no vehicles shall be parked or stored for a fee, or for any commercial purpose, on any property in the jurisdiction of the Village of Pinehurst unless the use of the property for the purpose of parking or storing vehicles for a fee exists on the date of adoption of this ordinance, or the use of the property for the parking or storing of vehicles for a fee receives specific approval from the Village Council of the Village of Pinehurst. Provided, however, the provisions of this section shall not apply to:

(The rest of Section 17.1 shall read the same).

SECTION 4. That Section 17.5 Administration and Enforcement is amended to read as follows: 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 administration and enforcement of this section for situations on public streets and highways within the Village, on property owned by the Village, and in instances of illegal commercial parking of vehicles, or parking or storage of vehicles for a fee, as described in Section 17.1 above. The Chief of Police is authorized to cause the violation of the prohibition of commercial parking or storage of vehicles, for a fee, to cease and desist immediately. The Zoning Enforcement Officer shall be responsible for administration and enforcement of this section for other situations on private property.

SECTION 5. That Section 17.6 Penalty is amended to read as follows: 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, however, violations of the prohibition of commercial parking or storage of vehicles, for a fee, shall be punishable by a fine of \$500.00 per violation, with each day the violation exists constituting a separate and distinct offense.

SECTION 6. That all ordinances in conflict herewith are hereby repealed and declared null and void from and after the date of adoption of this ordinance.

SECTION 7. That Sections 1 and 2 this ordinance shall be and remain in full force and effect from and after the date of its adoption and the erection of the appropriate and necessary traffic signs, until June 21, 2005.

SECTION 8. That Sections 3, 4 and 5 shall be in full force and effect from and after the date of adoption of this ordinance.

SECTION 9. That the Chief of Police and Director of Public Works are hereby authorized and directed to establish appropriate signage at the places designated in Sections 1 and 2 of this ordinance, as they deem necessary, for the purpose of enforcement.

SECTION 10. Adopted this 26th day of April, 2005.

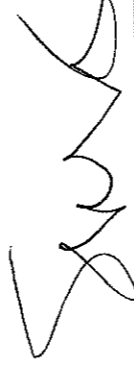


VILLAGE OF PINEHURST
VILLAGE COUNCIL


Attest:


Linda S. Brown, Village Clerk

By:


Steven J. Smith, Mayor

Approved as to form:


Michael J. Newman, Village Attorney