

ORDINANCE #05-37:

AN ORDINANCE AMENDING CHAPTER 9 OF THE PINEHURST MUNICIPAL CODE WITH REGARD TO BOND REQUIREMENTS FOR NEW CONSTRUCTION IN THE VILLAGE OF PINEHURST, NORTH CAROLINA.

THAT WHEREAS, the Village of Pinehurst has previously enacted an ordinance on the 20th day of December, 1988 establishing a bond requirement for new construction, said ordinance codified as Section 9-4 of the Pinehurst Municipal Code; and

WHEREAS, subsequent study demonstrated the need for more defined guidelines and clarification of the guidelines concerning appearance standards for new construction sites; and

WHEREAS, the Village Council has determined that it is in the best interest of the Village to ensure the public health, safety and welfare of residents and to protect the visual character of the Village of Pinehurst by amending Section 9-4 of Chapter IX the Pinehurst Municipal Code;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in Work Session assembled this 20th day of December, 2005 as follows:

SECTION 1. That Subsection 9-4.1 of the Pinehurst Municipal Code is hereby amended to read as follows:

“9-4.1 Agreement. That every property owner, builder, developer, contractor, or any other licensed person who undertakes to build and construct a dwelling unit, or any residential structure in the zoning jurisdiction of the Village of Pinehurst will be required to enter into an agreement with the Village of Pinehurst (~~Attachment-A*~~) and to provide a financial instrument in the amount of at least ten percent (10%) of the estimated cost of the construction for which a building permit is being applied for. This agreement is to guarantee all of the following ~~will be accomplished~~ standards shall be met: the ~~completion of all the utilities on the premises; the removal of the debris and excess material caused by construction in a timely manner as described in Attachment-B which is made part of this section by reference and may be amended from time to time; the property is landscaped in accordance with the plan approved by and filed with the Village; the drainage installed properly handles the flow of water in conformance with the North Carolina General Statutes and stormwater run off does not adversely impact adjacent properties; and in the event a house under construction is abandoned by the contractor prior to completion, the house will be secured in a manner which will help to prevent vandalism, trespassing, and vagrancy.~~

- a. A dumpster at least ten (10) cubic yards in size shall be located on all new construction sites unless a suitable alternative means of collecting and disposing of construction debris is approved by the Chief Building Inspector. Dumpsters shall be located on private property and shall be painted in dark brown, dark blue, dark burgundy, dark green, black or other muted color approved by the Village planner. Signage on dumpsters shall be limited to the identification of the dumpster manufacturer or the contractor’s business name and phone number. The total surface area allowed for such signage shall not exceed four (4) square feet in total surface area;
- b. Building supplies, including bricks and lumber (with the exception of large trusses), must be stacked and covered nights, weekends and anytime work is not in progress;
- c. On-site building materials are limited to those required for completion of remaining construction; for example:
 - 1. Quantities of concrete block should not be on-site after completion of foundation.

- 2. Surplus bricks, sand and mortar mix should not be retained on-site after completion of masonry work.
- 3. At no time should a building site be used as storage for vehicles and equipment not being used for current construction activities;
- d. Permit boxes should be located on-site with approved plan and current permit at time inspection is requested;
- e. Portable toilets, construction driveways and silt fences should be installed on-site prior to the commencement of any work;
- f. The property shall be landscaped in accordance with the plan approved by and filed with the Village;
- g. The drainage installed properly handles the flow of water in conformance with the North Carolina General Statutes and storm water run-off does not adversely impact adjacent properties;
- h. In the event a house under construction is abandoned by the contractor prior to the completion, the house and lot will be cleaned and cleared of debris from construction and other sources, and the house will be secured in a manner which will help to prevent vandalism, trespassing and vagrancy.

In the event that any of the above enumerated listed items are not within the scope of work which the owner has awarded to the builder, then the owner shall be responsible for the agreement and surety related to such work.

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

SECTION 3. Adopted this 20th day of December, 2005.

(Municipal Seal)



Attest:

Linda S. Brown
Linda S. Brown, Village Clerk

Approved as to form:

Michael J. Newman
Michael J. Newman, Village Attorney

VILLAGE OF PINEHURST
VILLAGE COUNCIL

Steven J. Smith

By:

Steven J. Smith, Mayor