



Village Council
Agenda for Regular Meeting of September 24, 2024
Assembly Hall
395 Magnolia Road, Pinehurst, NC 28374
Pinehurst, North Carolina
4:30 PM

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Reports
 - A. Manager
 - B. Council
4. Motion to Approve Consent Agenda

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- A. Approval of Village Council Meeting Minutes
 1. September 10, 2024, Regular Meeting Minutes
 2. September 10, 2024, Work Session Minutes
 3. September 10, 2024, Closed Session Minutes

End of Consent Agenda

5. Public Comments
6. Ordinances
 - A. Ordinance 24-12 Amending Chapter 110 of the Village of Pinehurst Municipal Code Regarding Peddling and Soliciting on Private Property within the Village of Pinehurst
7. Other Business
8. Motion to Adjourn

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.
Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.
Values: Service, Initiative, Teamwork, and Improvement.



September 10, 2024, Regular Meeting Minutes
ADDITIONAL AGENDA DETAILS:

FROM: Shannon Konstantinou, Village Clerk
CC: Village Council; Doug Willardson
DATE OF MEMO: 09/16/2024

MEMO DETAILS

ATTACHMENTS

1. 09.10.2024 DRAFT Regular Meeting Minutes



**Village Council
Minutes for the Regular Meeting of September 10, 2024
Assembly Hall
395 Magnolia Road
Pinehurst, North Carolina
4:30 p.m.**

The Pinehurst Village Council held a Regular Meeting at 04:30 p.m., Tuesday, September 10, 2024, in the Assembly Hall of Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance in Assembly Hall:

Mr. Patrick Pizzella, Mayor
Dr. Jeff Morgan, Councilmember
Ms. Barb Ficklin, Councilmember
Mr. John Taylor, Mayor Pro Tem
Mr. Jack Farrell, Councilmember
Mr. Doug Willardson, Village Manager
Ms. Shannon Konstantinou, Village Clerk
Mr. Paul Conners, IT Systems Specialist
Ms. JoEllen Richter, IT Technician

And approximately 13 attendees in addition to 9 staff and 1 press.

1. Call to Order.

Mayor Pizzella called the Village Council meeting to order at 04:31 p.m.

2. Invocation by Pastor Hugh Tudor-Foley and Pledge of Allegiance by Retired Vice Admiral David Buss.

3. Reports:

Village Manager

- Mr. Doug Willardson reported on the Village of Pinehurst receiving the Government Finance Officers Association's Distinguished Budget Presentation Award for 2024 along with the Long Range Operating Financial Plan Subcomponent of the award for the first time; on the September 13, 2024, Live After 5 event; on the September 21, 2024, Eats, Beats, and Brews event; on the ongoing hydrant flushing being done by the Fire Department; reminded everyone to complete the business or community surveys they received; and reported on the Patriots' Day activities being held by the Fire Department tomorrow, September 11, 2024, to remember the victims of the 9/11 attacks.

Village Council

- Mayor Pizzella reported on the 2024 edition of the annual letter exchange with the Town of Dornoch, Scotland; on Pinehurst Elementary School being the only school out of 22 to earn an A grade on the North Carolina Department of Public Instruction's performance grades report for Moore County; on the September 03, 2024, Daily Police Report received by Council; on the birth of Chief Webb's daughter; on a letter received from 10 residents along McKenzie Road East thanking the Village for the newly installed walkway; on the

September 24, 2024, Council Work Session meeting where residents will be presenting alternatives to the NCDOT's proposed change to the Pinehurst Traffic Circle; on September 11, 2024, Patriots' Day; and on September 10, 2024, Thank the Golf Course Superintendent Day.

- Councilmember Morgan reported on the August 28, 2024, Central Regional Pines Council Board of Delegates meeting.
- Councilmember Ficklin reported on the September 09, 2024, Beautification Committee meeting and on the September 14, 2024, Alzheimer's Walk at Sandhills Community College.
- Mayor Pro Tem Taylor reported on the Labor Day Barbecue Festival; on the September 04, 2024, Technical Coordinating Committee (TCC) meeting; and on the upcoming September 18, 2024, Sandhills Metropolitan Planning Organization meeting (meetings are held the third Wednesday of the month).
- Councilmember Farrell reported on the August 2024 quarterly meeting of the Rural Land Use Advisory Commission (RLUAC).

4. Motion to Approve Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

A. Approval of Village Council Meeting Minutes

- August 13, 2024, Regular Meeting Minutes
- August 13, 2024, Work Session Minutes

End of Consent Agenda.

Upon a motion by Councilmember Morgan, seconded by Councilmember Taylor, Council unanimously approved the Consent Agenda by a vote of 5-0.

5. Public Comments.

Mr. Mitch Puritz, Pinehurst resident, expressed concerns regarding the enforcement of codes relating to unsightly yards.

Mr. Willardson and Mayor Pizzella asked Mr. Puritz to provide his contact information and stated follow up will be done.

Upon a motion by Councilmember Morgan, seconded by Councilmember Ficklin, Council unanimously approved Resolution 24-29 recognizing the contributions and service of Tom Campbell to the Village of Pinehurst and Resolution 24-30 honoring Ms. Martha Mirman (2024 Ms. North Carolina Senior America) by a vote of 5-0.

6. Resolutions.

A. Resolution 24-29 Recognizing the Contributions and Service of Tom Campbell to the Village of Pinehurst

Mayor Pizzella read aloud Resolution 24-29 honoring Mr. Tom Campbell and thanked Mr. Campbell for his service.

Mr. Campbell spoke about his history of service to the Village of Pinehurst, thanked Village staff for their hard work and collaboration with the committees and boards over the years, and thanked the Village for being honored with a resolution.

A Resolution Honoring the Service of Mr. Thomas Campbell

WHEREAS, Thomas Campbell has been a dedicated and invaluable member of the Village of Pinehurst community; and

WHEREAS, Mr. Campbell has generously volunteered his time and expertise to serve on several Village Boards and Committees; and

WHEREAS, Mr. Campbell served with distinction on the Planning & Zoning Board from 2005 to 2012, making significant contributions to the thoughtful and responsible growth of the Village; and

WHEREAS, Mr. Campbell continued his commitment to the Village by serving on the Conservation Committee from 2012 to 2017, where his knowledge and passion for environmental stewardship were instrumental in preserving the Village's natural beauty; and

WHEREAS, Mr. Campbell's dedication to enhancing the quality of life for residents and visitors alike was further demonstrated through his service on the Bicycle and Pedestrian Advisory Committee from 2015 to 2024; and

WHEREAS, Mr. Campbell's contributions to these Boards and Committees have had a profound and lasting impact on the Village of Pinehurst.

Now, Therefore, Be It Resolved by the Village Council of the Village of Pinehurst, North Carolina, in a Regular Meeting assembled this 10th day of September 2024 as follows:

Section 1. That the Village Council hereby expresses, on behalf of the citizens of Pinehurst, its sincere gratitude and appreciation to Mr. Thomas Campbell for his exemplary service and dedication to the community.

Section 2. That a copy of this resolution be spread upon the permanent minutes of the Village of Pinehurst and a copy thereof, duly executed by the Mayor, be presented to Mr. Campbell as a token of our esteem.

This Resolution passed and adopted this 10th day of September 2024.

B. Resolution 24-30 Honoring Ms. Martha Mirman (2024 Ms. North Carolina Senior America)

Mayor Pizzella read aloud Resolution 24-30 honoring Ms. Martha Mirman and thanked Ms. Mirman for her representing the Village of Pinehurst community with distinction.

Ms. Mirman thanked Ms. Bev Wetherbie and Ms. Laura Morgan for their work with the Ms. North Carolina Senior America organization, expressed excitement about representing the Village as Ms. North Carolina Senior America and contestant in the upcoming national pageant, and thanked Council for their service to the community.

RESOLUTION HONORING MS. MARTHA MIRMAN THE WINNER OF THE 2024 MS. NORTH CAROLINA SENIOR AMERICA PAGEANT.

WHEREAS, on September 10th, 2024, we recognize and celebrate the 2024 Ms. Senior America Pageant winner, Ms. Martha Mirman; and

WHEREAS, it is with great pride and admiration that the Pinehurst Village Council acknowledges the outstanding achievements of our esteemed resident, Ms. Mirman; and

WHEREAS, Ms. Mirman has brought honor and distinction to our community by being

crowned Ms. North Carolina Senior America for the year 2024; and

WHEREAS, Ms. Mirman has demonstrated an unwavering commitment to excellence and service through her dedication, grace, and exemplary representation of North Carolina's values and spirit; and

WHEREAS, Ms. Mirman will be traveling to Atlantic City, New Jersey in late September 2024, to compete for the esteemed title of Ms. Senior America at the national level; and

WHEREAS, Ms. Mirman's participation in this prestigious competition not only showcases her remarkable talents and achievements but, also, reflects the vibrant and supportive community of Pinehurst; and

WHEREAS, the Village Council extends our heartfelt support and encouragement to Ms. Mirman as she embarks on this national endeavor.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a Regular Meeting assembled this 10th day of September 2024, as follows:

The Village Council does hereby honor and congratulate Ms. Martha Mirman for her exceptional achievement as Ms. North Carolina Senior America. We commend her for her dedication, poise, and the positive example she sets for all residents. We extend our best wishes for her continued success and look forward to celebrating her achievements as she represents the Village of Pinehurst and the state of North Carolina on the national stage.

This Resolution passed and adopted this 10th day of September 2024.

7. Regular Business

A. FY 2024 Unaudited Financial Statements

Ms. Dana Van Nostrand, Financial Services Director, reviewed a memo and presentation outlining the Fiscal Year 2024 Financial Statements (Unaudited).

Council discussed the actual expenditures consistently coming in under budgeted expenditures for the year, accrued vacation and sick leave liability, the ability of employees to donate sick leave to fellow employees in need due to a serious illness, the audit process, any funds the Village holds or manages on behalf of others, and USGA tax incentive payments.

8. Other Business

None.

9. Motion to Adjourn.

Upon a motion by Mayor Pro Tem Taylor, seconded by Councilmember Morgan, Council unanimously approved to adjourn the Regular Meeting by a vote of 5-0 at 05:53 p.m.

Respectfully Submitted,

Shannon Konstantinou
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community, which reflects our rich history and traditions.

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.

Values: Service, Initiative, Teamwork, and Improvement



September 10, 2024, Work Session Minutes
ADDITIONAL AGENDA DETAILS:

FROM: Shannon Konstantinou, Village Clerk
CC: Village Council; Doug Willardson
DATE OF MEMO: 09/16/2024

MEMO DETAILS

ATTACHMENTS

1. 09.10.2024 DRAFT Work Session Minutes



**Village Council
Minutes for the Work Session of September 10, 2024
Assembly Hall
395 Magnolia Road
Pinehurst, North Carolina
4:30 p.m.**

The Pinehurst Village Council held a Work Session Meeting at 06:01 p.m., Tuesday, September 10, 2024, in the Assembly Hall of Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance in Assembly Hall:

Mr. Patrick Pizzella, Mayor
Dr. Jeff Morgan, Councilmember
Ms. Barb Ficklin, Councilmember
Mr. John Taylor, Mayor Pro Tem
Mr. Jack Farrell, Councilmember
Mr. Doug Willardson, Village Manager
Ms. Shannon Konstantinou, Village Clerk
Mr. Paul Conners, IT Specialist
Ms. JoEllen Richter, IT Technician

And approximately 4 attendees in addition to 4 staff and 1 press.

1. Call to Order.

Mayor Pizzella called the Village Council meeting to order at 06:01 p.m.

2. General Business.

A. Discuss PDO Update Consultant Interview Process

Mr. Alex Cameron, Planning & Inspections Director, reviewed a memo outlining the Pinehurst Development Ordinance (PDO) Update Request for Qualification (RFQ) results and potential timeline.

Council discussed whether to interview all four firms that submitted an RFQ or to interview only the two firms with experience in the State of North Carolina, public and advisory board involvement in the development of the PDO, and the interview process.

Council agreed to interview all four firms that submitted an RFQ and to set a date for the last week of September or the first week of October.

B. Discuss Design of New Given Memorial Library

Mr. Willardson and Ms. Audrey Moriarty, Library Services and Archives Director, reviewed updated floor plans and renderings of the new Given Memorial Library, noting the proposed installation of a wheelchair lift in lieu of a ramp at the rear entrance.

Council, Mr. Willardson, and Ms. Moriarty discussed potentially adding ADA parking at the front of the building

and including additional computer workstations and a family bathroom.

Mr. Willardson stated additional information on the new Given Memorial Library will be presented at the last Council meeting in October 2024.

C. Discuss Potential Speed Change on Airport Road

Mr. Willardson reviewed a memo outlining the request from the Town of Southern Pines for the Village to join them in petitioning NCDOT for a speed reduction along Airport Road.

Council and Mr. Willardson discussed the section of Airport Road contained within the Village's corporation limits being a very small portion of the road and what potential benefits a speed reduction would have along this section of the road.

Council agreed not to join the petition with the Town of Southern Pines and to inform the Town of Southern Pines that, despite the Village's decision not to join in the petition, the Village would not provide any opposition.

3. Closed Session.

A. Closed Session pursuant to NCGS § 143-318.11(a)(4) and NCGS § 143-318.11(a)(5)

Upon a motion by Councilmember Farrell, seconded by Councilmember Morgan, Council unanimously approved to recess the Work Session and enter into a Closed Session pursuant to NCGS § 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment and NCGS § 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract by a vote of 5-0 at 06:43 p.m.

4. Other Business

None

5. Motion to Adjourn.

Upon a motion by Councilmember Morgan, seconded by Councilmember Ficklin, Council unanimously approved to adjourn the Work Session by a vote of 5-0 at 07:31 p.m.

Respectfully Submitted,

Shannon Konstantinou
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org

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Values: Service, Initiative, Teamwork, and Improvement

DRAFT



September 10, 2024, Closed Session Minutes
ADDITIONAL AGENDA DETAILS:

FROM: Shannon Konstantinou, Village Clerk
CC: Village Council; Doug Willardson
DATE OF MEMO: 09/16/2024

MEMO DETAILS

ATTACHMENTS

1. 09.10.2024 DRAFT CLS Minutes



Ordinance 24-12 Amending Chapter 110 of the Village of Pinehurst Municipal Code Regarding Peddling and Soliciting on Private Property within the Village of Pinehurst

ADDITIONAL AGENDA DETAILS:

FROM: Shannon Konstantinou, Village Clerk
CC: Village Council; Doug Willardson
DATE OF MEMO: 09/18/2024

MEMO DETAILS

Ordinance 24-12 Amending Chapter 110 of the Village of Pinehurst Municipal Code Regarding Peddling and Soliciting on Private Property within the Village of Pinehurst is being brought before Council for consideration and approval to remedy an inconsistency between the Pinehurst Municipal Code and the Constitution and Laws of North Carolina and of the United States.

The First Amendment states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

North Carolina Statute § 160A-174(b) states, "A city ordinance shall be consistent with the Constitution and laws of North Carolina and of the United States. An ordinance is not consistent with State or Federal law when: (1) The ordinance infringes a liberty guaranteed to the people by the State or Federal Constitution."

Non-Commercial (Religious, Political, Non-Commercial) speech has broad protection under the First Amendment and cannot be regulated or restricted by the government (in most cases) as this would prohibit the free exercise of beliefs and prevent the free dissemination of ideas.

Commercial speech has limited protection under the First Amendment and can be reasonably regulated or restricted by the government but cannot be completely banned or prohibited (in most cases) as this would infringe upon the right of individuals not only to speak but to receive information.

In addition to Ordinance 24-12, attached is a Peddling and Solicitation FAQ to help residents understand Peddling, Solicitation, and Canvassing regulations within the Village of Pinehurst.

ATTACHMENTS

1. DRAFT Ordinance 24-12 Amending Chapter 110 of the Village of Pinehurst Municipal Code (Peddling & Soliciting)
2. Solicitation FAQ

ORDINANCE #24-12:

AN ORDINANCE AMENDING CHAPTER 110 OF THE VILLAGE OF PINEHURST MUNICIPAL CODE REGARDING PEDDLING AND SOLICITING ON PRIVATE PROPERTY IN THE VILLAGE OF PINEHURST.

WHEREAS, the Village Council of the Village of Pinehurst provides services for the public health, safety, and general welfare of the community; and

WHEREAS, North Carolina General Statute 160A-174 gives authority to municipalities to define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the city, and may define and abate nuisances in a manner consistent with the Constitution and laws of North Carolina and of the United States; and

WHEREAS, North Carolina General Statute 160A-178 gives authority to municipalities to regulate, restrict or prohibit the solicitation of contributions from the public for any charitable or eleemosynary purpose, and also the business activities of itinerant merchants, salesmen, promoters, drummers, peddlers, flea market operators and flea market vendors or hawkers; and

WHEREAS, the Village Council adopted Ordinance 09-15 on May 26, 2009, establishing the regulations for peddling and soliciting on private property in the Village of Pinehurst; and

WHEREAS, the Village Council adopted Ordinance 22-19 on November 25, 2022, amending Ordinance 09-15 to prohibit peddling and soliciting by any person or persons other than for a political candidate, organization, or program; or non-profit, religious, charitable, recreational, civic, or veteran's organization; service club; or volunteer fire or first aid company; and

WHEREAS, regulation of peddling and solicitation on private property in the Village of Pinehurst should be done in a manner that protects the safety of both residents and visitors without violating any person's or persons' First Amendment rights; and

WHEREAS, the Village Council feels it is necessary to amend the Village of Pinehurst Municipal Code governing the manner in which businesses and individuals will be allowed to peddle and solicit for business and other purposes on private property in the Village of Pinehurst.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in regular meeting assembled this 24th day of September 2024, as follows:

SECTION 1. That the following amendments be made to Chapter 110 of the Village of Pinehurst Municipal Code:

CHAPTER 110: PEDDLING AND SOLICITING ON PRIVATE PROPERTY

SECTION

110.01	Definitions
110.02	Purpose
110.03	Permit Required
110.04	Application for Permit & Fees
110.05	Investigation of Applicant; Denial or Issuance of Permit
110.06	Appeals
110.07	Display of Permits
110.08	Regulations
110.09	Revocation of Permits
110.99	Penalties

110.01 DEFINITIONS:

For the purpose of this Chapter, the following words and phrases shall have the meanings ascribed to them by this Section:

COMMERCIAL PEDDLER or SOLICITOR

- A. An itinerant vendor of merchandise who shall go from door-to-door or place-to-place, selling, causing to be sold, offering for sale or taking orders for present or future delivery of merchandise, products or services of any description whatever, including but not limited to magazines, periodicals, books and orders or contracts for home improvements or alterations.
- B. A person who makes or conducts surveys for research purposes, analyses, opinion polls, rating data and any such similar work, which, by nature, involves door-to-door or place-to-place activity.
- C. A person who goes from door-to-door or place-to-place for the purpose of soliciting contributions, donations or any other thing of value for any person or organization.
- D. A person who goes from door-to-door or place-to-place for the purpose of distributing circulars or other printed or electronic media.

COMMERCIAL PEDDLING or SOLICITING

The act of going from door-to-door or place-to-place for the purpose of (a) sale, distribution, advertising, promoting, demonstrating, and/or vending of merchandise, products, services, or materials, or taking orders for present or future delivery of merchandise, products, services or materials, of any description whatever, including but not limited to magazines, periodicals, books and orders or contracts for home improvements or alterations; (b) making or conducting surveys for research purposes, analyses, opinion polls, rating data and any such similar work, which, by nature, involves door-to-door or place-to-place activity; (c)

soliciting contributions, donations or any other thing of value for any person or organization; of (d) distributing circulars, advertisements, brochures, or other, similar printed matter.

NON-COMMERCIAL CANVASSING

The act of going from door-to-door or place-to-place for a political candidate, organization or program; a non-profit, religious, charitable, recreational, civic, or veteran's organization or club; or other non-commercial purposes, such as:

- i. Speaking with residents
- ii. Distributing informational or educational literature

PERSON

Any individual, firm, partnership, association, group, persons, or corporation.

110.02

PURPOSE:

The purposes of this Chapter are:

- A. Discouraging unethical and dishonest business practices.
- B. For the general protection, health, and welfare of the residents of the Village of Pinehurst.
- C. To preserve a record to identify names and addresses of all commercial peddlers or solicitors.

110.03

PERMIT REQUIRED:

No person shall peddle, solicit, or sell food, beverages, services, or merchandise or engage in any act of commercial peddling or soliciting in any public or quasi-public place, door-to-door, or place-to-place, within the Village of Pinehurst, without first having obtained a permit therefore in accordance with the provisions of this Chapter.

Permits are not required for non-commercial canvassing.

110.04 APPLICATION FOR PERMIT:

- A. A separate application shall be filed for each individual conducting commercial peddling or soliciting within the Village of Pinehurst.
- B. Applications must be submitted at least 7 days prior to the beginning date for commercial peddling or soliciting.
- C. Applications for permits shall be made upon forms provided by the Village Clerk, who shall file a duplicate copy with the Police Department, containing the following information:
 1. The name, date of birth, and age of the person engaging in the commercial peddling or soliciting (applicant).

2. The complete permanent home address and complete local address of the applicant.
3. The name and address of the Organization or person for whom commercial peddling or soliciting is being conducted.
4. A description of the nature of the business or activity and the goods, services, or wares to be sold.
5. Two (2) recent photographs of the applicant, which shall be approximately two and one-half by two and one-half (2 ½" x 2 ½") inches in size, showing the head and shoulders of the applicant in a clear and distinguishing manner.
6. The dates upon which the commercial peddling or soliciting is to take place.
7. A statement as to whether the applicant has been convicted of a crime, misdemeanor, or disorderly persons offense and, if so, the details thereof.
8. The make, model, year, color, and license plate number of each vehicle used by the applicant during the period of commercial peddling or soliciting within the Village of Pinehurst and copies of the applicant's driver's license, vehicle registration, and insurance certificate.
9. A list of current commercial peddling or soliciting permits received from other municipalities.
10. A statement as to whether the applicant has been denied a commercial peddling or soliciting permit during the past year.

D. Fees: The Village Council shall annually adopt by resolution a Fees and Charges Schedule for commercial peddling and soliciting permit applications.

110.05 INVESTIGATION OF APPLICANT; DENIAL OR ISSUANCE OF PERMIT:

A. Upon receipt of a duplicate application, the Police Department shall cause an investigation to be made of the applicant's business or moral character for the protection of the public safety and welfare.

If the investigation as aforesaid should reveal any of the following, the Chief of Police, or their designee, shall deny a permit to the applicant:

1. Conviction of any crime or misdemeanor involving arson and/or other burnings, assault and battery, breaking and entering, bribery and corruption, burglary, embezzlement, conspiracy, conversion and misappropriation of funds, extortion or threats, forgery and counterfeiting, frauds and cheats, indecency and obscenity, larceny, loan sharking, possession or use of a controlled dangerous substance, rape and carnal abuse, receiving stolen property and any other crimes against the person or crimes involving moral turpitude.
2. Conviction or any misdemeanor or disorderly persons offense, common thievery, burglary, pick pocketing, carrying weapons, conspiracy,

unlawful soliciting, assault and battery, fraud and misrepresentation, possession or use of habit producing drugs, shoplifting and any other offense involving moral turpitude.

3. Business pursuits resulting in fraud, misappropriation of funds, or similar activity.

B. The above crimes, misdemeanors or disorderly persons offenses shall be deemed to be those as defined or equivalent to crimes and disorderly persons offenses defined by law in the State of North Carolina.

C. If the Chief of Police, or their designee, shall deny a permit to the applicant, they shall detail the reasons for such denial.

D. If the investigation as aforesaid should not disclose any of the above, a permit shall be issued forthwith by the Village Clerk, upon which shall be affixed one (1) photograph of the applicant and the municipal seal of the Village of Pinehurst.

110.06

APPEALS:

If the Chief of Police, or their designee, shall deny any application for a permit, the applicant may appeal that decision within a period of ten (10) days from the date of denial. Said appeal shall be filed with the Village Clerk and shall be heard by the Village Manager within a period of seven (7) days from the date it is filed. The Village Manager may affirm, modify, or reverse the decision of the Chief of Police, or their designee, and shall indicate, in writing, the reason for their determination. The Village Manager shall apply the standards indicated hereinabove and shall relate their findings and conclusions to the objectives of this Chapter. The Village Manager's determination shall be rendered forthwith and shall be final.

110.07

DISPLAY OF PERMITS:

Each applicant, when conducting commercial peddling or soliciting within the Village of Pinehurst, shall carry the permit at all times and shall exhibit the same to any citizen or Police Officer upon request.

110.08 REGULATIONS:

A. All permits issued pursuant to this Chapter, shall be for a term of one (1) week (7 days) from date of issuance with no commercial peddling or soliciting taking place on Sundays or holidays recognized by the State of North Carolina.

B. Commercial peddling or soliciting shall be conducted between the hours of 9:00 am and 5:00 pm, Monday through Saturday.

- C. No commercial peddler or solicitor shall enter or attempt to enter the house or apartment of any resident of the Village of Pinehurst without an express invitation from the occupant thereof.
- D. No commercial peddler or solicitor shall conduct themselves in such a manner as to become objectionable to or annoy any person while commercial peddling or soliciting.
- E. No commercial peddler or solicitor shall peddle or solicit upon premises where signs so located give adequate notice of the prohibition of such activities.
 - i. The owner and/or occupant of premises identified in the Village of Pinehurst may obtain a sign, placard or sticker from the Village Clerk, which may be affixed to a front door, front window or front facing wall of the premises, and giving notice that commercial peddling or soliciting is not permitted on the premises.
- F. All circulars, samples, merchandise, or other printed or electronic media distributed by the commercial peddler or solicitor shall be handed to an occupant of the property or left in a secure location on the premises.

110.09

REVOCATION OF PERMITS:

- A. Permits issued under this Chapter may be revoked by the Chief of Police, or their designee, after written notice outlining reasons, for any of the following causes:
 - 1. Misrepresentation or false material statement contained in the application.
 - 2. Misrepresentation or false material statement contained in the course of carrying on activities regulated herein.
 - 3. Conviction of any crime, misdemeanor or disorderly person's offense or engaging in business activity that would have precluded issuance of a permit as set forth hereinabove.
 - 4. Conducting commercial peddling or soliciting in an unlawful manner in violation of the provisions of this Chapter or in such manner as to cause a breach of the peace or to constitute a menace to safety or general welfare of the public.
- B. Any person whose permit has been revoked shall have the right of appeal, subject to the procedure and standards as set forth in Section 110.06 above.

110.99

PENALTIES:

Any person who violates any provision of this Chapter, upon conviction thereof, shall be punished by a fine not exceeding five hundred (\$500) dollars or by imprisonment for a term not exceeding ninety (90) days or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

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 24th day of September 2024.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Patrick Pizzella, Mayor

Attest:

Approved as to Form:

Shannon Konstantinou, Village Clerk

Michael J. Newman, Village Attorney



Peddling & Solicitation in the Village of Pinehurst

1

Non-Commercial Canvassing (Religious, Political, Non-Commercial)

- VOP is not allowed to require a permit.
- Organizations are permitted to canvass on properties / in areas with “No Solicitation” signs displayed.
- Individual Property Owners may ask Non-Commercial Canvassers to leave their property. Contact the Police Department to report any canvasser who refuses to comply with the request to leave by calling the Non-Emergency Dispatch Number: 910-295-3141.
- Neighborhood HOAs / POAs cannot blanket prohibit Non-Commercial Canvassing.

2

Commercial Peddling, Solicitation, Vending, and Canvassing

- VOP allowed to require a permit per NC GS 160A-174 and NC GS 160A-178 (must apply, consent to background check, and be approved and issued a permit).
- Allowed to regulate the days/times and places Commercial Peddling occurs.
- Must carry permit with them at all times and provide to anyone that asks to see the permit.
- Must comply with “No Solicitation” signs.
- Neighborhood HOAs / POAs can blanket prohibit Commercial Peddling if streets are private.
- Report anyone Commercial Peddling without a permit to the Police Department by calling the Non-Emergency Dispatch Number: 910-295-3141.