



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF APRIL 8, 2014
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

1. Call to Order.
2. Reports:
 - Manager
 - Council
3. Presentation of Arbor Day Proclamation 2014

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. Public Safety Reports
 - Police Department
 - Fire Department

End of Consent Agenda.

5. Tree Lighting Event
6. Discussion of proposed ordinance establishing Minimum Housing Standards for the Village of Pinehurst
7. Discussion regarding the Chairmanship, terms and make up of membership of the Historic Preservation Commission
8. Temporary Ordinances for 2014 US Open Championships
9. Matters Related to the Collection of Delinquent MSD Assessments
10. Minority Business Outreach Plan for Construction Projects
11. Resolution requesting the introduction of a local bill regarding the annexation of the Cotswold subdivision
12. Other Business.
13. Comments from Attendees.
14. Motion to Adjourn.



History, Charm, & Southern Hospitality.

Vision

The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions, enhanced by a unique combination of cultural arts and recreational activities.

Mission

Preserve and enhance the community's character and ambience by guiding growth, managing change, and providing services in a financially responsible manner.

Values

Competent
Courteous
Professional
Responsive



PRESENTATION OF ARBOR DAY PROCLAMATION 2014

ADDITIONAL AGENDA DETAILS:

MEMO DETAILS:

See the attached proclamation for Arbor Day 2014.

ATTACHMENTS:

Description

 [Arbor Day 2014 Proclamation](#)

MAYORAL PROCLAMATION

VILLAGE OF PINEHURST

THAT WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource; and

WHEREAS, trees in our village increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees are a source of joy and spiritual renewal; and

WHEREAS, Pinehurst strives to be recognized as a Tree City USA by the National Arbor Day Foundation;

NOW THEREFORE, I, Nancy Roy Fiorillo, Mayor of the Village of Pinehurst, do hereby proclaim April 29, 2014 as “ARBOR DAY” in the Village of Pinehurst, and urge all citizens to support efforts to care for our trees and woodlands and to support our-village’s community forestry program; and

FURTHER, I urge all citizens to plant trees to promote the well-being of present and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the Village of Pinehurst, this the 8th day of April, 2014.

Nancy Roy Fiorillo, Mayor



PUBLIC SAFETY REPORTS

ADDITIONAL AGENDA DETAILS:

Police Department
Fire Department

ATTACHMENTS:

Description

-  [Police Department Report](#)
-  [Fire Department Report](#)

Incident IBR Reported Offenses Month To Month Comparison

Pinehurst Police Department

March 2014 - March 2013

Part I Offenses	March 2013	March 2014	+/-	Percent Changed	Year-To-Date		+/-	Percent Changed
	2013	2014			2013	2014		
Murder	0	0	0	0%	0	0	0	0%
Rape	0	0	0	0%	0	0	0	0%
Robbery	0	0	0	0%	1	1	0	0%
Commercial	0	0	0	0%	1	1	0	0%
Individual	0	0	0	0%	0	0	0	0%
Assault	2	0	-2	-100%	2	0	-2	-100%
Violent Total:	2	0	-2	-100%	3	1	-2	-67%
Burglary	0	0	0	0%	0	0	0	0%
Residential	0	0	0	0%	0	0	0	0%
Non-Residential	0	0	0	0%	0	0	0	0%
Commercial	0	0	0	0%	0	0	0	0%
Other	0	0	0	0%	0	0	0	0%
Larceny	15	11	-4	-27%	29	23	-6	-21%
Auto Theft	1	0	-1	-100%	1	0	-1	-100%
Arson	0	0	0	0%	0	0	0	0%
Property Total:	16	11	-5	-31%	30	23	-7	-23%
Part I Total:	18	11	-7	-39%	33	24	-9	-27%

Part II Offenses	March 2013	March 2014	+/-	Percent Changed	Year-To-Date		+/-	Percent Changed
	2013	2014			2013	2014		
Drug	4	5	1	25%	14	16	2	14%
Assault Simple	1	0	-1	-100%	4	4	0	0%
Forgery/Counterfeit	0	0	0	0%	0	1	1	-
Fraud	1	6	5	500%	9	12	3	33%
Embezzlement	0	0	0	0%	0	0	0	0%
Stolen Property	1	2	1	100%	2	2	0	0%
Vandalism	8	1	-7	-88%	16	8	-8	-50%
Weapons	0	0	0	0%	0	1	1	-
Prostitution	0	0	0	0%	0	0	0	0%
All Other Sex Offenses	1	0	-1	-100%	2	0	-2	-100%
Gambling	0	0	0	0%	0	0	0	0%
Offenses Against Family/Children	1	0	-1	-100%	1	0	-1	-100%
D.W.I.	0	0	0	0%	1	4	3	300%
Liquor Law Violation	1	0	-1	-100%	1	2	1	100%
Disorderly Conduct	0	0	0	0%	2	1	-1	-50%
Obscenity	0	1	1	-	0	1	1	-
Kidnap	0	0	0	0%	0	0	0	0%
All Other Offenses	33	18	-15	-45%	54	53	-1	-2%
Part II Total:	51	33	-18	-35%	106	105	-1	-1%
Incident Total:	69	44	-25	-36%	139	129	-10	-7%

Arrest IBR Reported Offenses Month To Month Comparison

Pinehurst Police Department

March 2014 - March 2013

Part I Offenses	March 2013	March 2014	+/-	Percent Changed	Year-To-Date 2013	Year-To-Date 2014	+/-	Percent Changed
Murder	0	0	0	0%	0	0	0	0%
Rape	0	0	0	0%	0	0	0	0%
Robbery	0	0	0	0%	0	0	0	0%
Commercial	0	0	0	0%	0	0	0	0%
Individual	0	0	0	0%	0	0	0	0%
Assault	1	0	-1	-100%	2	0	-2	-100%
Violent Total:	1	0	-1	-100%	2	0	-2	-100%
Burglary	0	0	0	0%	0	0	0	0%
Residential	0	0	0	0%	0	0	0	0%
Non-Residential	0	0	0	0%	0	0	0	0%
Commercial	0	0	0	0%	0	0	0	0%
Other	0	0	0	0%	0	0	0	0%
Larceny	3	9	6	200%	6	11	5	83%
Auto Theft	1	0	-1	-100%	1	0	-1	-100%
Arson	0	0	0	0%	0	0	0	0%
Property Total:	4	9	5	125%	7	11	4	57%
Part I Total:	5	9	4	80%	9	11	2	22%

Part II Offenses	March 2013	March 2014	+/-	Percent Changed	Year-To-Date 2013	Year-To-Date 2014	+/-	Percent Changed
Drug	7	6	-1	-14%	22	20	-2	-9%
Assault Simple	1	2	1	100%	4	4	0	0%
Forgery/Counterfeit	0	2	2	-	0	3	3	-
Fraud	0	0	0	0%	1	5	4	400%
Embezzlement	0	0	0	0%	0	0	0	0%
Stolen Property	3	9	6	200%	5	10	5	100%
Vandalism	4	7	3	75%	5	7	2	40%
Weapons	0	0	0	0%	1	2	1	100%
Prostitution	0	0	0	0%	0	0	0	0%
All Other Sex Offenses	1	0	-1	-100%	1	0	-1	-100%
Gambling	0	0	0	0%	0	0	0	0%
Offenses Against Family/Children	0	1	1	-	0	1	1	-
D.W.I.	4	8	4	100%	15	18	3	20%
Liquor Law Violation	0	1	1	-	0	3	3	-
Disorderly Conduct	0	0	0	0%	2	1	-1	-50%
Obscenity	0	0	0	0%	0	0	0	0%
Kidnap	0	0	0	0%	0	0	0	0%
All Other Offenses	24	27	3	13%	42	61	19	45%
Part II Total:	44	63	19	43%	98	135	37	38%
Arrest Total:	49	72	23	47%	107	146	39	36%



HISTORY, CHARM, AND SOUTHERN HOSPITALITY_____

SUMMARY FOR THE MONTH OF MARCH 2014

SUMMARY OF INCIDENT CALLS

	<i>NUMBER THIS MONTH</i>	<i>NUMBER YTD</i>	<i>NUMBER THIS MONTH LAST YEAR</i>	<i>NUMBER YTD LAST YEAR</i>	<i>PERCENTAGE YTD</i>
TYPE OF INCIDENT					
Fire	5	11	5	9	22%
Overpressure Rupture, Explosion, Overheat - no fire	0	1	0	0	100%
Rescue & EMS Incidents	8	41	4	17	141%
Hazardous Conditions - no fire	6	33	11	40	-18%
Service Call	20	58	14	50	16%
Good Intent Call	24	78	17	63	24%
False Alarm & False Call	18	48	12	32	50%
Severe Weather & Natural Disaster	0	0	0	0	0%
Special Incident Type	0	1	0	0	100%
TOTAL INCIDENTS	81	271	63	211	28%

SUMMARY OF INSPECTION

	<i>NUMBER THIS MONTH</i>	<i>NUMBER YTD</i>	<i>NUMBER THIS MONTH LAST YEAR</i>	<i>NUMBER YTD LAST YEAR</i>	<i>PERCENTAGE YTD</i>
TYPE OF INSPECTIONS					
Residential	2	16	6	17	-6%
Residential New Systems	0	0	0	0	0%
Residential Fire Sprinkler	0	4	0	0	400%
Commercial	31	79	32	78	1%
Plan Review/Site Inspections	1	4	1	4	0%
Reinspection	25	69	8	29	138%
Occupancy Certificates	0	0	0	0	0%
TOTAL INSPECTIONS	59	172	47	128	34%
Violations Found:	86	190	32	75	153%
YTD Violations to be Corrected:		104		43	
YTD Violations Corrected:		66		42	
Correction Percentage:		63%		98%	

April 3, 2014



J. Carlton Cole, Fire Chief



TREE LIGHTING EVENT

ADDITIONAL AGENDA DETAILS:

FROM:

Mark Wagner

CC:

Jeff Batton, Andy Wilkison

DATE OF MEMO:

4/1/2014

MEMO DETAILS:

Staff is currently planning and making preparations for the Tree Lighting event in December and we are proposing some changes for the event that we wanted to make you aware of.

We intend to move all activities associated with the Tree Lighting to Tufts Park including vendors and tents, as well as the location of the Christmas tree itself. Staff feels that by having everything centralized it will improve the quality of the event, provide adequate lighting/sound amplification, and allow attendees to easily see the lighting ceremony.

As part of this change, we are also proposing that we purchase a pre-lit artificial tree that could be approximately 24' tall. Depending on the vendor and size tree we select, the price for the tree would range from \$16,000-\$20,000. The tree would also come with a 10 year warranty for the frame and 5 year warranty on the lights. The trees we have looked at are all very similar in design and appearance, and the frame sections fit inside one another so that storage space is minimized. We would also have the ability to expand the size of the tree later if so desired. The smaller groupings of artificial trees displayed in the past would still be utilized around town, in Tufts Park, and one would also be shifted to the flag pole location where the main tree has been located in the past.

This change would result in more upfront cost for the purchase of the tree, but we do feel it will be a significant improvement over the trees we have had in years past. In previous years, it typically costs the Village approximately \$2,400 each year for the purchase, selection, transport, lighting and staff time associated with the installation of the Christmas tree.

Staff has requested funds for the new tree in the upcoming 2015 FY so there is no immediate financial impact at this time. We did however want to let Council provide some feedback on the idea of switching to the artificial tree so that staff can plan accordingly. Attachments have been provided from various vendors for the trees so you can see what they look like, how they are assembled, etc.

I appreciate your consideration of this request and can provide any additional information as needed.

Thank you.

ATTACHMENTS:

Description

📎 [Tree Brochures](#)



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GOOD TO KNOW...



Construction

- + Heavy gauge steel frame construction ensures perfect stability
- + Concentric steel rings stack to form the conical tree shape
- + Rings nest together for compact post-season storage
- + Easy height adjustment by simply adding or subtracting rings
- + Heavy-duty frame guarantees tree maintains perfect shape



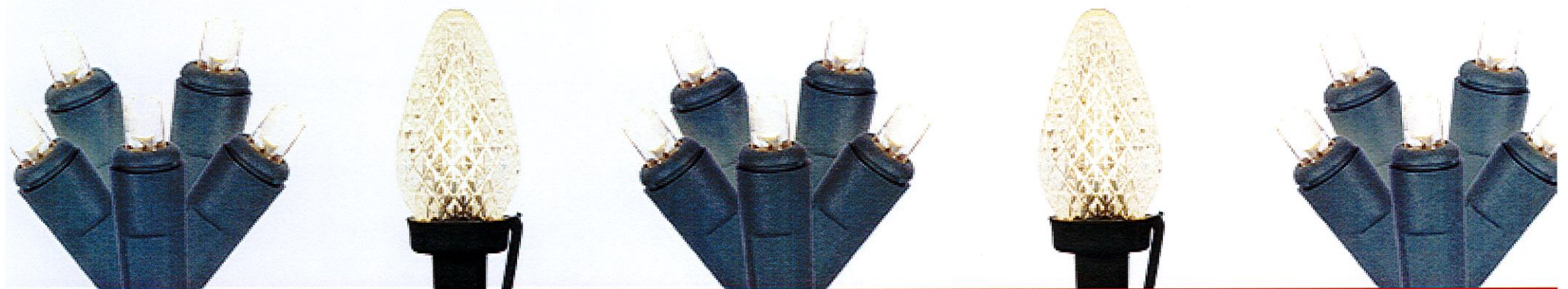
Needles

- + Fade resistant UV-treated foliage maintains color
- + Weatherproofed for even the toughest outdoor conditions
- + Crush resistant extra thick .2mm PVC needles
- + Highly resilient needles for a perfect tree, season after season

GOOD TO KNOW...

Lights

- + Commercial grade environmentally friendly LED lights
- + 90% less energy consumption - save money on your electric bill
- + LED lights last 10 x longer - never change a light bulb again
- + Perfect for public displays - LEDs stay cool to the touch, even after hours of use
- + Premium grade lights are UL-approved for peace of mind
- + Galvanized wire eliminates rust
- + Professionally strung lights are generously and evenly distributed
- + Warm white light color provides a brilliant radiance with a soft glow



We offer trees with the following lights:

- + LED wide angle mini-lights
- + LED C7 lights

GOOD TO KNOW...

Assembly

- + Color coding makes assembly foolproof
- + Bolts come in universal sizes, so parts are interchangeable
- + Starting at the top, branches attach to the frame
- + All branches are identical in size, making assembly a snap



WHAT MAKES OUR GIANT CHRISTMAS TREES THE #1 BESTSELLER?





PEACE OF MIND

Wouldn't you love to know that everything is taken care of?

**100%
Satisfaction
Guaranteed**

- + Worldwide shipping via common carrier
- + We use the freight forwarder of your choice
- + Tracking info lets you know when to expect your tree
- + Manufacturer's warranty on the tree and lights
- + Need help or have questions? Our tree experts are only a phone call away.



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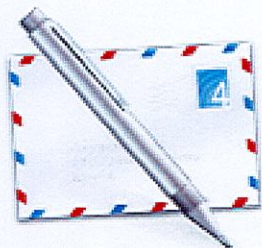
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For inquiries, after hours, or on weekends, email us:
info@santasquarters.com



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1025 Decatur Street
New Orleans, LA 70116





Merry Christmas

Frohe Weihnachten

Joyeux Noël

Buon Natale *Feliz Navidad*



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Giant Everest



Warm. Distinctive. Beautiful. Natural-looking Giant Everest Christmas Trees bring the spirit and tradition of the holidays to any environment.



Lighting Options

Red Sleigh Giant Everest Trees are available in a variety of light colors and styles to make every holiday display a success. Incandescent lights are a traditional favorite, or choose to invest in long lasting, energy efficient Wintergreen Lighting LED bulbs. Popular colors such as clear and multicolor are available, as well as the option to create custom color schemes. Mini lights and C7 sockets come pre-wired to the branches for faster assembly.

- Clear Mini Lights
- Clear or Multi Color C7 Incandescent
- Clear or Multi Color Energy Efficient C7 LED
- Clear or Multi Color Energy Efficient 5mm LED
- Custom Colors - Incandescent or LED

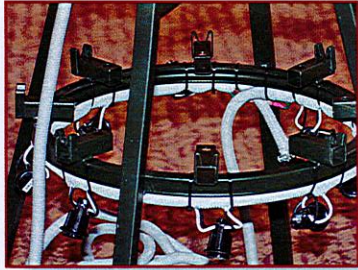


Lush Thick Foliage

The Giant Everest Tree has a lush and natural appearance. The needles are made of .20mm PVC making it 60% thicker than other commercial trees. The PVC needles are crush resistant, allowing for safe storage, which will ensure your tree looks new and lush year after year. All trees are UV protected, and are fade and flame resistant. Generous tip counts give the Red Sleigh Giant Everest one of the most natural and fullest appearances on the market.



Construction & Affordability



Giant Everest Trees are designed to be budget friendly, simple to construct and sturdy enough to withstand the rigors of the outdoors year after year.

The trees are constructed with stackable 3-foot galvanized steel circular rings that scale in diameter as they build up from the base. Using 3-foot stacking rings allows customers to purchase a smaller size tree today, and add additional height from the base as budget allows.



Channels of heavy gauge wiring with Cooper sockets run along the inside of the frame allowing for easy setup and connectivity. Once connected, simply plug the tree into a nearby power source.

Versatility



You'll find our trees custom decorated and on display all throughout the country in locations such as:

- Town Center Squares
- Theme Parks
- Military Bases
- Parks & Zoos
- Business Centers & Office Buildings
- Churches
- Colleges
- Hospitals
- Banks and more...

Set-up & Storage

Giant Everest Trees are sturdy enough to climb on during assembly and include hook branches that settle securely into slots within the frame.

Tree frames are marked with color coding and universally-sized bolts connect the frame together. (Spare bolts included.)

For compact stowing, the frame's stacking rings easily fit inside one another so that storage space is minimized.



Options & Features

Sizes

- Height: 14 ft. - 35 ft.*
- Base: 9 ft. - 19.5 ft.

Flexible Lighting Options

- Mini - Incandescent or 5mm LED
- C7 - Incandescent or LED

Features

- Lush Thick Foliage
- Natural Appearance
- Quality Construction & Components
- Versatile Indoor/Outdoor Use
- Convenient Setup and Storage
- In-Stock & Ready to Ship



Warranty

Red Sleigh Giant Everest Trees offer a **five year limited tree warranty**, giving you the peace of mind in knowing your investment is protected.

*Larger Trees Available via Special Order



Photo Courtesy of American Heritage Federal Credit Union

Testimonials

"We wanted to thank you for helping make Festival of Lights at the Cincinnati Zoo & Botanical Garden a huge success. The Giant 35' pre-lighted Christmas tree that we purchased from you last year looks so realistic, it has become an icon for the event. The 22,000 mini lights had a brilliant shine throughout the Zoo! High quality lighting is essential for a high quality event, like the Festival of Lights. We want to thank you again for your great customer service and look forward to doing business with you again next year."

Chad Yelton

Director of Media and Events
Cincinnati Zoo & Botanical Gardens

"We couldn't be happier with the quality of the tree and performance of the LED lights. The LED light bulbs were even brighter than we had anticipated. We have received so many calls from Village residents expressing...how terrific the new tree looks. I also want to express my thanks to your sales representative... she was great from initial information gathering to installation."

Joe Caracci

Public Works Director
Village of Glen Ellyn

"The beautiful new tree in Shain Park drew large crowds at our Tree Lighting Ceremony. It's a wonderful addition to the community and we look forward to enjoying it for many years to come."

Carrie Laird

Department of Public Services, City of Birmingham, MI

MORE AVAILABLE UPON REQUEST.

Red Sleigh Overview

Red Sleigh supplies an upscale line of residential and commercial grade Christmas trees, greenery and decor. The commercial line of trees features the Sequoia and Giant Everest. The Red Sleigh Sequoia is a lush beautiful tree that ranges in size from 6.5 feet to 14 feet, making it the ideal choice for smaller spaces. The Giant Everest line of ring trees is one of the most popular giant trees available for commercial venues and is stocked in heights from 14 to 35 feet, with additional heights available.

Accompanying our tree selection is the Red Sleigh Greenery Collection which includes matching wreaths and garland. Red Sleigh products are popular because our exacting design and production requirements make them the best in their respective class. Remember, there's nothing quite like premium Red Sleigh products.



About Christmas Lights, Etc

Christmas Lights, Etc was founded in 2000 with the goal of offering high quality Christmas products online. In addition to quality products, providing a remarkable shopping experience has been a cornerstone of the continued growth and success. Key elements of the overall experience include a customer friendly website, top notch U.S. based customer service and the fastest order fulfillment in the industry. The hard work paid off and Christmas Lights, Etc has one of the largest holiday selections available online, has been recognized three times as a leading online retailer by INC. 5000 and is ranked #1 Christmas Shopping Site by Alexa.



Christmas Lights, Etc is an authorized dealer of Red Sleigh™

Just a few of our happy customers. Join them today!





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LIGHTS

ORNAMENTS

WREATHS & GARLAND

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Search Within Category

Go

Artificial Christmas Trees

Giant Commercial Christmas Trees

Artificial Christmas Trees

Giant Commercial Christmas Trees (21)

Pre Lit Christmas Trees (20)

Traditional Christmas Trees (2)

More...

Christmas Decorations

Commercial Decorations (4)

Brand

Christmas Central (8)

GKI-Bethlehem Lighting (4)

VCO (7)

More...

Color

Clear (1)

Green (12)

White (4)

Light Type

Incandescent (3)

LED (17)

Unlit (1)

Bulb Type

C7 (10)

Mini Light (8)

Light Color

Clear Lights (17)

Multi Lights (3)

White Lights (6)

Tree Profile

Full Profile (6)

Medium Profile (15)

Needle Type

PE and PVC (2)

PVC - Classic Feel (15)

Material

Man Made Material (1)

Plastic (12)

Synthetic (4)

Subject

Artificial Christmas Trees >> Giant Commercial Christmas Trees

Our Giant Christmas Trees are the perfect addition to any large commercial space. These Large Commercial Artificial Christmas Trees are stunning and will stop people in their tracks to admire the view. Our Commercial Grade Christmas Trees are of the highest quality and can be used indoor or outdoor. Christmas Central offers a vast array of Giant Commercial Artificial Christmas Trees with LED Lighted & Unlit Styles in numerous Heights for Professional Holiday Decorating.

21 results in Giant Commercial Christmas Trees

Sort By: Relevance

40 items per page



18' Giant Pre-Lit Everest Fir Commercial Christmas Tree - Warm White LED Lights

Retail: \$9,999.99
\$8,549.99



20' Giant Pre-Lit Everest Fir Commercial Christmas Tree - Warm White LED Lights

Retail: \$19,999.99
\$12,099.99



24' Giant Pre-Lit Everest Fir Commercial Christmas Tree - Warm White LED Lights

Retail: \$22,999.99
\$15,799.99



27' Giant Pre-Lit Everest Fir Commercial Christmas Tree - Warm White LED Lights

Retail: \$23,999.99
\$20,559.99



27' Giant Pre-Lit Everest Fir Commercial Christmas Tree - Multi LED Lights

Retail: \$23,999.99
\$20,559.99



30' Giant Pre-Lit Everest Fir Commercial Christmas Tree - Warm White LED Lights

Retail: \$25,999.99
\$23,499.99



30' Giant Pre-Lit Everest Fir Commercial Christmas Tree - Multi LED Lights

Retail: \$25,999.99
\$23,499.99



40' Giant Pre-Lit Everest Fir Commercial Christmas Tree - Warm White LED Lights

Retail: \$39,999.99
\$36,699.99



15' Camdon Fir Full Artificial Christmas Tree - Unlit

Retail: \$3,675.99
\$2,936.99



15' Pre-Lit Frasier Fir Artificial Christmas Tree & Stand - Multi Dura Lights

Retail: \$4,499.99
\$2,999.99



23.5' Grand Teton Commercial Christmas Tree - 2,000 Clear C7 LED Lights

Retail: \$34,162.99
\$27,569.99



20' Grand Teton Commercial Christmas Tree - 1,395 Clear C7 LED Lights

Retail: \$24,530.99
\$19,796.99



Christmas Trees (17)

34' Giant Teton
Christmas Tree - 4,386
LED C7 CLEAR LIGHTS

Retail: \$75,280.99
\$60,752.99



15' Pre-Lit Mixed Pine
Cashmere Artificial
Christmas Tree - Clear
LED Lights

Retail: \$6,018.99
\$5,498.99



15' Pre-Lit Full Camdon
Fir Artificial Christmas
Tree - Clear Dura Lit
Lights

Retail: \$5,128.99
\$4,186.99



16.5' Giant Teton
Commercial Christmas
Tree - 804 Warm White
C7 Lights 12,151 Tips

Retail: \$16,715.99
\$13,489.99



15' Pre-Lit Mixed Pine
Cashmere Full Artificial
Christmas Tree - Clear
Lights

Retail: \$5,815.99
\$5,345.99



21' Giant Commercial
Grade LED Lighted
Waterloo Christmas
Tree - White LED Lights

Retail: \$17,499.99
\$12,999.99

21' Giant Commercial
Grade LED Lighted
Waterloo Christmas
Tree - Warm White LED
Lights

Retail: \$17,999.99
\$12,999.99

14.8' Giant Commercial
Grade LED Lighted
Waterloo Christmas
Tree - Warm White LED
Lights

Retail: \$12,999.99
\$9,999.99

14.8' Giant Commercial
Grade LED Lighted
Waterloo Christmas
Tree - White LED Lights

Retail: \$12,499.99
\$9,999.99

HINTS & TIPS



VIDEOS



COMMERCIAL CHRISTMAS DECORATIONS



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For Three Straight Years

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Christmas Wonderland

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DISCUSSION OF PROPOSED ORDINANCE ESTABLISHING MINIMUM HOUSING STANDARDS FOR THE VILLAGE OF PINEHURST

ADDITIONAL AGENDA DETAILS:

FROM:

Andy Wilkison

CC:

Mike Newman, Dallas Morgan

DATE OF MEMO:

4/1/2014

MEMO DETAILS:

For the past several years, planning staff has been attempting to rectify a worsening situation located at 90 Torrey Pines Lane. A home there that has been effectively abandoned by the owners is deteriorating to the point that the Village Building Inspector needs additional authorization in the Municipal Code to order the repair or eventual removal of the dwelling. While this is the only situation we are aware of in the Village at this time that necessitates this kind of action, the attached Minimum Housing Standards could be used in future applicable situations should they arise. As the last known owners have been very difficult to reach in spite of repeated efforts by the Code Enforcement Officer, it is important to note that the attached standards include a provision for notice and the implementation of proceedings in the event the owners are either unknown, unresponsive, or refuse the service of notices.

Residents of the neighborhood where this particular home is located are keenly aware of its condition and very eager for the eventual remedying of the situation.

ATTACHMENTS:

Description

- ☐ [Ordinance Establishing Minimum Housing Standards](#)
- ☐ [Photo](#)
- ☐ [Photo 2](#)
- ☐ [Photo 3](#)
- ☐ [Photo 4](#)
- ☐ [Photo 5](#)
- ☐ [Photo 6](#)
- ☐ [Photo 7](#)
- ☐ [Photo 8](#)
- ☐ [Photo 9](#)
- ☐ [Photo 10](#)

ORDINANCE #14-16:

AN ORDINANCE AMENDING THE PINEHURST MUNICIPAL CODE ADDING CHAPTER 153 FOR ESTABLISHING MINIMUM HOUSING STANDARDS FOR THE VILLAGE OF PINEHURST.

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, on September 13, 2011 the Village Council of the Village of Pinehurst adopted Ordinance 11-25 which adopted the general ordinances of the Village of Pinehurst as revised, amended, restated, codified, and compiled in book form and declared that these shall constitute the “Village of Pinehurst, North Carolina Municipal Code;” and

WHEREAS, the Municipal Code will be subsequently amended from time to time as conditions warrant; and

WHEREAS, the Village of Pinehurst requests additional authority for regulating abandoned and deteriorating homes including the ability to order the repair or eventual removal of the dwelling if necessary.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 8th day of April, 2014, as follows:

SECTION 1. That Section 153 Minimum Housing Standards of the Village of Pinehurst, North Carolina Municipal Code be added as follows:

CHAPTER 153: MINIMUM HOUSING STANDARDS

Section

General Provisions

153.01 Finding; purpose

153.02 Definitions

153.03 Responsibilities of owners and occupants

Minimum Standards for Dwellings and Dwelling Unit

153.15 Compliance required

153.16 Structural conditions

153.17 Basic equipment and facilities

153.18 Ventilation

153.19 Space, use and location

- 153.20 Safe and sanitary maintenance
- 153.21 Control of insects, rodents and infestations

Administration and Enforcement

- 153.30 Powers and duties of Building Inspector
- 153.31 Right of entry of Building Inspector
- 153.32 Enforcement procedure
- 153.33 Methods of service of complaints and orders
- 153.34 In rem action by Inspector; placarding
- 153.35 Costs, a lien on premises
- 153.36 Alternative remedies
- 153.37 Other provisions
- 153.38 Violations

GENERAL PROVISIONS

§ 153.01 FINDING; PURPOSE.

(A) Pursuant to G.S. § 160A-441, it is hereby declared that there exist within the jurisdiction of the Village dwellings which are unfit for human habitation due to dilapidation; defects increasing the hazards of fire, accidents, and other calamities; lack of ventilation, light, and sanitary facilities and other conditions rendering such dwellings unsafe or unsanitary, dangerous, and detrimental to the health, safety, and morals, and otherwise inimical to the welfare of the residents of the Village.

(B) In order to protect the health, safety and welfare of the residents within the jurisdiction of the Village as authorized by G.S. Chapter 160A, Article 19, Part 6, it is the purpose of this chapter to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, as expressly authorized by G.S. § 160A-444.

§ 153.02 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BASEMENT. A portion of a dwelling which is located partly underground, having direct access to light and air from windows located above the level of the adjoining ground.

BUILDING INSPECTOR. The Building Inspector of the Village or any Building Inspector for whose services the Village has contracted or any authorized agent of the Inspector.

CELLAR. A portion of a dwelling which is located partly or wholly underground having an inadequate access to light and air from windows located partly or wholly below the level of the adjoining ground.

DETERIORATED. A dwelling that is unfit for human habitation but can be repaired, altered, or improved to comply with all of the minimum standards established by this chapter at a cost not in excess of 50% of its value, as determined by the finding or findings of the Inspector.

DILAPIDATED. A dwelling that is unfit for human habitation and cannot be repaired, altered, or improved to comply with all of the minimum standards established by this chapter except at a cost in excess of 50% of its value, as determined by the finding or findings of the Inspector.

DWELLING. Any building, structure, manufactured home, or mobile home or part thereof, used and occupied for human habitation or intended to be so used, and including any outhouses and appurtenances belonging thereto or usually enjoyed therewith, except that it does not include any manufactured or mobile home as defined in G.S. § 143-145(7), which is used solely for a seasonal vacation purpose. The term shall include within its meaning the terms rooming house and rooming unit, as hereinafter defined.

DWELLING UNIT. Any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating.

EXTERMINATION. The control and elimination of insects, rodents, or other pests by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, or trapping; or by any other recognized and legal pest elimination methods approved by the Inspector.

GARBAGE. The organic waste resulting from the handling, preparation, cooking, and consumption of food.

HABITABLE ROOM. A room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closet compartments, laundries, heater rooms, foyers, or communicating corridors, closets, and storage spaces.

INFESTATION. The presence, within or around a dwelling, of any insects, rodents, or other pests in such number as to constitute a menace to the health, safety, or welfare of the occupants or the public.

MULTIPLE DWELLING. Any dwelling containing more than two dwelling units.

NOXIOUS GROWTH. Any growth of weeds, grasses, or other plants or bushes that become or threaten to become a fire hazard or a harboring place for rats, mice, snakes, or other vermin or otherwise pose a danger to the public health or safety. Uncontrolled plant growth (i.e. plants not intentionally planted in a garden, shrub bed, flower bed or similar area) that is at least eight (8) inches tall.

OCCUPANT. Any person over one year of age, living, sleeping, cooking, or eating in, or having actual possession of a dwelling, dwelling unit, or rooming unit.

OPERATOR. Any person who has charge, care, or control of a building, or part thereof in which dwelling units or rooming units are let.

OWNER. Any person who alone, jointly, or severally with others:

(A) Shall have title to any dwelling, dwelling unit, or rooming unit, with or without accompanying actual possession thereof; or

(B) Shall be a mortgagee of record for any dwelling, dwelling unit, or rooming unit; or

(C) Shall have charge, care, or control of any dwelling, dwelling unit, or rooming unit, as owner or agent of the actual owner, or as executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the actual owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter, and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

PARTY OR PARTIES IN INTEREST. All persons who have interests of record in a dwelling, dwelling unit, or rooming unit and any persons who are in possession thereof.

PERSON. Any individual, corporation, firm, partnership, association, organization, or other legal entity.

PLUMBING. All of the following supplied facilities and equipment: gas pipe, gas burning equipment, water pipes, mechanical garbage disposal units (mechanical sink grinders), sewage disposal pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer, or gas lines.

PUBLIC AUTHORITY. Any housing authority or any officer who is in charge of any department or branch of the government of the Village or of the county or the state relating to health, fire, building regulations, or other activities concerning dwellings in the Village.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

RUBBISH. Nonorganic waste materials. The term shall include paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, and dust.

SUPPLIED. Paid for, furnished, or provided by, or under the control of, the owner or operator.

UNFIT FOR HUMAN HABITATION. That conditions exist in a dwelling, dwelling unit, rooming house, or room unit which violate or do not comply with one or more of the minimum standards of fitness or one or more of the requirements established by this chapter.

WASTES. All useless, unwanted, or discarded materials and products, resulting from domestic, industrial, commercial or community activities.

YARD WASTES. Organic materials commonly consisting of leaves, pine straw, wheat straw, grass clippings, hedge clippings, dirt, rocks, yard and garden waste, branches, logs, twigs,

and all vegetable matter resulting from landscaping or land clearing activities (i.e. stumps, trees, etc.)

Whenever the words “**DWELLING**,” “**DWELLING UNIT**,” “**ROOMING UNIT**,” and “**PREMISES**” are used in this chapter, they shall be construed as though they were followed by the words “**OR ANY PART THEREOF**.”

§ 153.03 RESPONSIBILITIES OF OWNERS AND OCCUPANTS.

(A) Public areas. Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

(B) Cleanliness. Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which he occupies and controls.

(C) Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish and garbage in a clean and sanitary manner by placing it in the supplied storage facilities. In all cases, the owner shall be responsible for the availability of rubbish and garbage storage facilities.

(D) Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of same.

(E) Care of facilities, equipment, and structure. No occupant shall willfully destroy, deface, or impair any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit.

MINIMUM STANDARDS FOR DWELLINGS AND DWELLING UNIT

§ 153.15 COMPLIANCE REQUIRED.

(A) Every dwelling and dwelling unit used as a human habitation, or held out for use as a human habitation, shall comply with all of the minimum standards of fitness for human habitation and all of the requirements of this subchapter.

(B) No person shall occupy as owner occupant, or let to another for occupancy or use as a human habitation, any dwelling or dwelling unit which does not comply with all of the minimum standards of fitness for human habitation and all of the requirements of this subchapter.

§ 153.16 STRUCTURAL CONDITIONS.

The following standards shall constitute the minimum standards for structural condition of a dwelling or dwelling unit:

(A) Walls or partitions or supporting members, sills, joists, rafters, or other structural members shall not list, lean, or buckle, and shall not be rotted, deteriorated, or damaged, and shall not have holes or cracks which might admit rodents.

(B) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.

(C) Foundations, foundation walls, piers, or other foundation supports shall not be deteriorated or damaged.

(D) Steps, stairs, landings, porches, or other parts or appurtenances shall be maintained in such condition that they will not fail or collapse.

(E) Adequate facilities for egress in case of fire or panic shall be provided.

(F) Interior walls and ceilings of all rooms, closets, and hallways shall be finished of suitable materials, which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in such a manner so as to enable the occupants to maintain reasonable privacy between various spaces.

(G) The roof, flashings, exterior walls, basement walls, floors, and all doors and windows exposed to the weather shall be constructed and maintained so as to be weather and watertight.

(H) There shall be no chimneys or parts thereof which are defective, deteriorated, or in danger of falling, or in such condition or location as to constitute a fire hazard.

(I) There shall be no use of the ground for floors, or wood floors on the ground.

§ 153.17 BASIC EQUIPMENT AND FACILITIES.

(A) Plumbing system.

(1) Each dwelling unit shall be connected to a potable water supply and to a public sewer or other approved sewage disposal system.

(2) Each dwelling unit shall contain not less than a kitchen sink, lavatory, tub, or shower, water closet, and adequate supply of both cold water and hot water. All water shall be supplied through an approved pipe distribution system connected to a potable water supply.

(3) All plumbing fixtures shall meet the standards of the most current edition of the State Plumbing Code and shall be maintained in a state of good repair and in good working order.

(4) All required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of same. The water closet and tub or shower shall be located in a room or rooms affording privacy to the user.

(B) Heating system. Every dwelling and dwelling unit shall have facilities for providing heat in accordance with the following:

(1) Central and electrical heating systems. Every central or electric heating system shall be of sufficient capacity to heat all habitable rooms, bathrooms, and water closet compartments in every dwelling unit to which it is connected with a minimum temperature of 70° measured at a point three feet above the floor during ordinary winter conditions.

(2) Other heating facilities. Where a central or electric heating system is not provided, each dwelling and dwelling unit shall be provided with sufficient fireplaces, chimneys, fires, gas vents, or other facilities to which heating appliances may be connected to heat all habitable rooms with a minimum temperature of 70° measured three feet above the floor during ordinary winter conditions.

(C) Electrical system.

(1) Every dwelling and dwelling unit shall be wired for electrical lights and convenience receptacles. Every habitable room shall contain at least two floor or wall type electric convenience receptacles, connected in such manner as determined by the most current edition of the State Electrical Code. There shall be installed in every bathroom, water closet room, laundry room, and furnace room at least one supplied ceiling or wall type electric light fixture. In the event wall or ceiling light fixtures are not provided in any habitable room, then each such habitable room shall contain at least three floor or wall type electric convenience receptacles.

(2) Every public hall and stairway in every multiple dwelling shall be adequately lighted by electric lights at all times when natural daylight is not sufficient.

(3) All fixtures, receptacles, equipment, and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the most current edition of the State Electrical Code.

§ 153.18 VENTILATION.

(A) General. Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be 10% of the floor area of such room. Whenever walls or other portions of structures face a window or any room and such light obstructing structures are located less than five feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight type window in the top of such room, the total window area of such skylight shall equal at least 15% of the total floor area of such room.

(B) Habitable rooms. Every habitable room shall have at least one window or skylight which can easily be opened, or such other device as will adequately ventilate the room.

The total operable window area in every habitable room shall be equal to at least 45% of the minimum window area size or minimum skylight type window size as required, or shall have other approved, equivalent ventilation.

(C) Bathrooms and water closet rooms. Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms and water closet rooms equipped with an approved ventilation system.

§ 153.19 SPACE, USE, AND LOCATION.

(A) Room sizes.

(1) Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the most current edition of the State Residential Building Code.

(2) Every dwelling unit shall contain at least 150 square feet of habitable floor area for the first occupant, at least 100 square feet of additional habitable area for each of the next three occupants, and at least 75 square feet of additional habitable floor area for each additional occupant.

(3) In every dwelling unit and in every rooming unit, every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor area, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor area for each occupant 12 years of age and over and at least 35 square feet of floor area for each occupant under 12 years of age.

(B) Ceiling height. At least one-half of the floor area of every habitable room shall have a ceiling height of not less than seven feet and six inches.

(C) Floor area calculation. Floor area shall be calculated on the basis of habitable room area. However, closet area and wall area within the dwelling unit may count for not more than 10% of the required habitable floor area. The floor area of any part of any room where the ceiling height is less than four and one-half feet shall not be considered as part of the floor area for the purpose of determining maximum permissible occupancy.

(D) Cellar. No cellar shall be used for living purposes.

(E) Basements. No basement shall be used for living purposes unless:

- (1) The floor and walls are substantially watertight;
- (2) The total window area, total operable window area, and ceiling height are equal to those required for habitable rooms; and
- (3) The required minimum window area of every habitable room is entirely above the grade adjoining such window area, except where the window or windows face a stairwell, window well, or access way.

§ 153.20 SAFE AND SANITARY MAINTENANCE.

(A) Exterior foundation, walls, and roofs. Every foundation wall, exterior wall, and exterior roof shall be substantially weather tight and rodent proof; shall be kept in sound condition and good repair; shall be capable of affording privacy; and shall be safe to use and capable of supporting the load which normal use would cause to be placed thereon. Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.

(B) Interior floors, walls, and ceilings. Every floor, interior wall, and ceiling shall be substantially rodent proof; shall be kept in sound condition and good repair; and shall be safe to use and capable of supporting the load which normal use would cause to be placed thereon.

(C) Windows and doors. Every window, exterior door, basement, or cellar door and hatchway shall be substantially weather tight, watertight, and rodent proof and shall be kept in sound working condition and good repair.

(D) Stairs, porches, and appurtenances. Every outside and inside stair, porch, and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use would cause to be placed thereon and shall be kept in sound condition and good repair.

(E) Bathroom floors. Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained so that it will be reasonably impervious to water and will permit such floor to be easily kept in a clean and sanitary condition.

(F) Supplied facilities. Every supplied facility, piece of equipment, or utility which is required under this chapter shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

(G) Drainage. Every yard shall be properly graded in order to obtain thorough drainage and to prevent the accumulation of stagnant water.

(H) Noxious growth. Every yard and all exterior property areas shall be kept free of noxious growth.

(I) Egress. Every dwelling unit shall be provided with adequate means of egress as required by the State Residential Building Code.

§ 153.21 CONTROL OF INSECTS, RODENTS, AND INFESTATIONS.

(A) Screens. In every dwelling unit, for protection against mosquitoes, flies, and other insects, every door opening directly from a dwelling unit to outdoor space shall be equipped with screens and a self-closing device. Every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be equipped with screens.

(B) Rodent control. Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be equipped with screens or such other approved device as will effectively prevent their entrance.

(C) Infestation. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of insects, rodents, or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Whenever infestation is caused by failure of the owner to maintain a dwelling in a rodent proof or reasonable insect proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling or in the shared

or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

(D) Rubbish storage and disposal. Every dwelling and every dwelling unit shall be supplied with approved containers and covers for storage of rubbish as required by Village ordinances, and the owner, operator, or agent in control of such dwelling or dwelling unit shall be responsible for the removal of rubbish.

(E) Garbage storage and disposal. Every dwelling and every dwelling unit shall be supplied with an approved garbage disposal facility, which may be an adequate mechanical garbage disposal unit (mechanical sink grinder) in each dwelling unit, or an approved outside garbage can as required by Village ordinances.

(F) Waste Disposal. Except as provided in subsection (G), no owner or occupant may cause, suffer, or permit wastes, including rubbish and garbage, to accumulate on the premises, including yards and exterior property areas, provided that occupants shall be liable under this section only for those parts of the premises under their control.

(G) Yard Wastes. Yard waste may be allowed to accumulate or remain in yards and exterior property areas for uses such as landscaping and composting, provided that these materials do not become or threaten to become a fire hazard or a harboring place for rats, mice, snakes or other vermin or otherwise pose a danger to the public health and safety. This provision does not authorize the commercial storage of landscaping materials on a residential property; commercial storage is permitted only in accordance with the Pinhurst Development Ordinance.

ADMINISTRATION AND ENFORCEMENT

§ 153.30 POWERS AND DUTIES OF BUILDING INSPECTOR.

The Building Inspector is hereby designated as the officer to enforce the provisions of this chapter and to exercise the duties and powers herein prescribed. The Building Inspector is authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this chapter. The Building Inspector shall have the following powers and duties:

(A) To investigate the dwelling conditions, and to inspect dwellings and dwelling units located in the Village in order to determine which dwellings and dwelling units are unfit for human habitation, and for the purpose of carrying out the objectives of this chapter with respect to the repair, closing, or demolition of such dwellings and dwelling units;

(B) To take such action, together with other appropriate departments and agencies, public and private, as may be necessary to effect rehabilitation of housing which is deteriorated;

(C) To keep a record of the results of inspections made under this chapter and an inventory of those dwellings that do not meet the minimum standards of fitness herein prescribed;

(D) To administer oaths and affirmations, examine witnesses, and receive evidence;

(E) To enter upon premises for the purpose of making examinations and inspections; provided, such entries shall be made in accordance with § 153.31 and State law, and shall be made in such manner as to cause the least possible inconvenience to the persons in possession; and

(F) To perform such other duties as may be prescribed herein or by the Village Council.

§ 153.31 RIGHT OF ENTRY OF BUILDING INSPECTOR.

(A) For the purpose of making inspections, the Building Inspector is hereby authorized to enter, examine, and survey at all reasonable times all dwellings, dwelling units, rooming houses, rooming units, and the premises associated therewith. The owner or occupant of every dwelling, dwelling unit, rooming house, or rooming unit or the person in charge thereof shall give the Building Inspector free access to such dwelling and its premises at all reasonable times for the purposes of such inspection, examination, and survey.

(B) Every occupant of a dwelling, dwelling unit, rooming house, or rooming unit shall give the owner thereof or his agent or employee, access to any part of such dwelling or dwelling unit and its premises at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this chapter or with any lawful order issued pursuant to the provisions of this chapter.

§ 153.32 ENFORCEMENT PROCEDURE.

(A) Preliminary investigation; notice; hearing. Whenever a petition is filed with the Building Inspector by a public authority or by at least five residents of the Village, charging that any dwelling, dwelling unit or the premises thereof is unfit for habitation, or whenever it appears to the Inspector, upon inspection, that any dwelling, dwelling unit or the premises thereof is unfit for human habitation, he shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such dwelling, dwelling unit or premises thereof a complaint stating the charges in that respect and containing a notice that a hearing will be held before the Inspector at a place therein fixed, not less than ten (10) nor more than thirty (30) days after the serving of the complaint. The owner or any party in interest shall have a right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. Notice of such hearing shall also be given to at least one (1) of the persons signing a petition relating to such dwelling or premises thereof. Notice shall also be given to the Village Historic Preservation Commission by giving oral or written notice to the Village staff person that serves as the liaison to the Commission. Any person desiring to do so may attend such hearing and give evidence. Rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Inspector.

(B) Procedure after hearing.

(1) After such notice and hearing, the Inspector shall state in writing his determination as to whether the dwelling, dwelling unit or the premises thereof are unfit for human habitation, and if so, whether the dwelling or dwelling unit is deteriorated or dilapidated.

(2) If the Inspector determines that the dwelling or dwelling unit is deteriorated, he shall state in writing his findings of fact in support of such determination, and shall issue and

cause to be served upon the owner thereof an order directing and requiring the owner to repair, alter, or improve such dwelling or dwelling unit to comply with the minimum standards of fitness established by this chapter within a specified period of time, not to exceed 90 days. Such order may also direct and require the owner to vacate and close such dwelling or dwelling unit until such repairs, alterations, and improvements have been made. The order may require that the property be vacated and closed only if continued occupancy during the time allowed for repair will present a significant threat of bodily harm, taking into account the nature of the necessary repairs, alterations, or improvements; the current state of the property; and any additional risks due to the presence and capacity of minors under the age of 18 or occupants with physical or mental disabilities. The order shall state that the failure to make timely repairs as directed in the order shall make the dwelling subject to the issuance of an unfit order under § 153.34.

(3) If the Inspector determines that the dwelling or dwelling unit is dilapidated, he shall state in writing his findings of fact to support such determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner either to repair, alter, or improve such dwelling or dwelling unit to comply with the minimum standards of fitness established by this chapter, or else to vacate and remove or demolish the same within a specified period of time not to exceed 90 days. If the order permits the owner to repair the dwelling, the order may require that the property be vacated and closed only if continued occupancy during the time allowed for repair will present a significant threat of bodily harm, taking into account the nature of the necessary repairs, alterations, or improvements; the current state of the property; and any additional risks due to the presence and capacity of minors under the age of 18 or occupants with physical or mental disabilities. If repairs are allowed, the order shall state that the failure to make timely repairs as directed in the order shall make the dwelling subject to the issuance of an unfit order under § 153.34.

(4) If the dwelling is located in a historic district of the Village or has been designated a landmark by the Village and the Historic District Commission determines, after a public quasi-judicial hearing that the dwelling is of particular significance or value toward maintaining the character of the historic district, and the dwelling has not been condemned as unsafe, an order issued pursuant to § 153.32(B)(3) may require that the dwelling be vacated and closed consistent with G.S. § 160A-400.14(a).

(5) If the dwelling is located in a historic district of the Village or has been designated a landmark by the Village, the Inspector may, but is not required to, issue an order pursuant to §153.32(B)(2) or (3) that extends beyond 90 days the time the owner of the property has to comply with the order, provided that during such additional time the owner actively seeks the issuance of a certificate of appropriateness from the Historic Preservation Commission to authorize repairs or other work mandated by the order.

(6) If the Village Council shall have adopted an ordinance pursuant to § 153.34, or the Inspector shall have issued an order, ordering a dwelling to be repaired or vacated and closed, as § 153.32(B)(2), and if the owner has vacated and closed such dwelling and kept such dwelling vacated and closed for a period of one year pursuant to the ordinance or order, then if the Village Council shall find that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of the Village in that the dwelling would continue to deteriorate, would create a fire and

safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State, then in such circumstances, the Village Council may, after the expiration of such one year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

a. If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require that the owner either repair or demolish and remove the dwelling within 90 days; or

b. If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require the owner to demolish and remove the dwelling within 90 days. This ordinance shall be recorded in the Moore county Registry and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with this ordinance, the public officer shall effectuate the purpose of the ordinance.

(7) Whenever a determination is made pursuant to § 153.32(B)(2) or (3) that a dwelling must be vacated and closed, or removed or demolished, notice of the order shall be given by first-class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. A minimum period of 45 days from the mailing of such notice shall be given before removal or demolition by action of the Inspector, to allow the opportunity for any organization to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The Inspector or Village Clerk shall certify the mailing of the notices, and the certification shall be conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy shall be an order requiring the public officer to wait 45 days before causing removal or demolition.

§ 153.33 METHODS OF SERVICE OF COMPLAINTS AND ORDERS.

(A) Complaints or orders issued by the Inspector pursuant to an ordinance adopted under this chapter shall be served upon persons either personally or by registered or certified mail. When service is made by registered or certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, or if the regular mail is not returned by the post office within 10 days after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

(B) If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the Inspector in the exercise of reasonable diligence, or, if the owners are known but have refused to accept service by registered or certified mail, and the Inspector makes an affidavit to that effect, then the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the village at least once no later than the time at which personal service would be required under the

provisions of this chapter. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected.

§ 153.34 IN REM ACTION BY INSPECTOR; PLACARDING.

(A) After failure of an owner of a dwelling or dwelling unit to comply with an order of the Building Inspector issued pursuant to the provisions of this chapter, and upon adoption by the Village Council of an ordinance authorizing and directing him to do so, as provided by G.S. § 160A-443(5) and § 153.32 (B) of this code, the Inspector shall proceed to cause such dwelling or dwelling unit to be repaired, altered, or improved to comply with the minimum standards of fitness established by this chapter, or to be vacated and closed and removed or demolished, as directed by the ordinance of the Village Council, and shall cause to be posted on the main entrance of such dwelling or dwelling unit a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a misdemeanor.

(B) Each ordinance so adopted shall be recorded in the Moore County Registry, and shall be indexed in the name of the property owner in the grantor index, as provided by G.S. §160A-443(5).

§ 153.35 COSTS, A LIEN ON PREMISES.

(A) That the amount of the cost of repairs, alterations or improvements, or vacating and closing, or removal or demolition by the Inspector shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in G.S. Chapter 160A, Article 10.

(B) If the real property upon which the cost was incurred is located within the corporate limits of the Village, then the amount of the cost is also a lien on any other real property of the owner located within the Village limits or within one mile thereof except for the owner's primary residence. The additional lien provided in this subsection is inferior to all prior liens and shall be collected as a money judgment.

(C) If the dwelling is removed or demolished by the Inspector, he shall sell the materials of the dwelling, and any personal property, fixtures or appurtenances found in or attached to the dwelling, and shall credit the proceeds of the sale against the cost of the removal or demolition, and any balance remaining shall be deposited in the superior court by the Inspector, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court. Nothing in this section shall be construed to impair or limit in any way the power of the Village to define and declare nuisances and to cause their removal or abatement by summary proceedings, or otherwise.

§ 153.36 ALTERNATIVE REMEDIES.

(A) In addition to the remedies provided in § 153.32, 153.34, and 153.35, the remedies provided in Code of Ordinances § 10.99 may also be used to enforce the provisions of this chapter.

(B) Neither this chapter nor any of its provisions shall be construed to impair or limit in any way the power of the Village to define and declare nuisances and to cause their abatement by summary action or otherwise, or to enforce this chapter by criminal process as authorized by G.S. 14-4, and the enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws.

(C) Nothing in this chapter shall be construed to otherwise abrogate or impair the other powers of the Village to enforce any provisions of its charter or its ordinances or regulations, nor to prevent or punish violations thereof; and the powers conferred by this chapter shall be in addition and supplemental to the powers conferred by any other law.

§ 153.37 OTHER PROVISIONS.

In the event any provision, standard, or requirement of this chapter is found to be in conflict with any provision of any other ordinance or code of the town, the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents of the village shall prevail.

§ 153.38 VIOLATIONS.

(A) It shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect, or refuse to repair, alter, or improve the same, or to vacate and close and remove or demolish the same, upon order of the Inspector duly made and served as herein provided, within the time specified in such order. Each day that any such failure, neglect, or refusal to comply with such order continues shall constitute a separate and distinct offense.

(B) It shall be unlawful for the owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to § 153.32, to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration, or improvement or its vacation and closing. Each day that such occupancy continues after such prescribed time shall constitute a separate and distinct offense.

SECTION 2. That all local ordinances 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.

This Ordinance adopted this 8th day of April, 2014.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney

DRAFT























DISCUSSION REGARDING THE CHAIRMANSHIP, TERMS AND MAKE UP OF MEMBERSHIP OF THE HISTORIC PRESERVATION COMMISSION

ADDITIONAL AGENDA DETAILS:

FROM:

Andy Wilkison

CC:

Bruce Gould.

DATE OF MEMO:

4/3/2014

MEMO DETAILS:

At the Council work session held April 2, 2014, Council requested that an agenda item be created for the Council to discuss various aspects of the Historic Preservation Commission.

Over the past few weeks, individual Council Members have brought up a number of issues they wish to have discussed, among them were:

1. The number of members that comprise the Commission.
2. The length of the terms of appointments.
3. The allowable number of years a member may serve.
4. The number of meetings to be held each month by the Commission.
5. Whether or not to allow a currently serving member in their seventh or eighth year of service to finish out their current term.
6. Determining who will be the Chairperson upon the termination of the term of the current Chairman.

To assist the Council in their discussion of these and related topics, the pertinent NC General Statutes are attached, as is other related information.

ATTACHMENTS:

Description

- ❑ [NCGS and Resolution establishing HPC](#)
- ❑ [Res. 13-20 Re appointing Thigpen, Smith and Holstein](#)

§ 160A-400.7. Historic Preservation Commission.

Before it may designate one or more landmarks or historic districts, a municipality shall establish or designate a historic preservation commission. The municipal governing board shall determine the number of the members of the commission, which shall be at least three, and the length of their terms, which shall be no greater than four years. A majority of the members of such a commission shall have demonstrated special interest, experience, or education in history, architecture, archaeology, or related fields. All the members shall reside within the territorial jurisdiction of the municipality as established pursuant to G.S. 160A-360. The commission may appoint advisory bodies and committees as appropriate.

In lieu of establishing a historic preservation commission, a municipality may designate as its historic preservation commission, (i) a separate historic districts commission or a separate historic landmarks commission established pursuant to this Part to deal only with historic districts or landmarks respectively, (ii) a planning board established pursuant to this Article, or (iii) a community appearance commission established pursuant to Part 7 of this Article. In order for a commission or board other than the preservation commission to be designated, at least three of its members shall have demonstrated special interest, experience, or education in history, architecture, or related fields. At the discretion of the municipality the ordinance may also provide that the preservation commission may exercise within a historic district any or all of the powers of a planning board or a community appearance commission.

A county and one or more cities in the county may establish or designate a joint preservation commission. If a joint commission is established or designated, the county and cities involved shall determine the residence requirements of members of the joint preservation commission. (1989, c. 706, s. 2; 2005-418, s. 12.)

RESOLUTION #06-05:

**A RESOLUTION OF THE VILLAGE OF PINEHURST CREATING AN
HISTORIC PRESERVATION COMMISSION.**

BE IT RESOLVED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in work session assembled on this 14th day of March, 2006, as follows:

SECTION 1. Pursuant to authority contained in Article 19, Chapter 160A of the General Statutes of North Carolina, there is hereby created an Historic Preservation Commission for the Village of Pinehurst, with all the powers and authority granted to said commission in said Article 19.

SECTION 2. Be it further resolved that:

- A. The Village of Pinehurst Historic Preservation Commission shall consist of 7 members, all of whom shall be full-time residents of the Village or the extraterritorial jurisdiction beyond the corporate limits of the Village.
- B. Members shall be appointed by the Village Council. Three (3) members shall be appointed for a term of three years; four members shall be appointed for a term of two (2) years. Terms of the first commission shall begin on March 14, 2006. Thereafter, members shall be appointed for terms of two (2) years or until their successors are appointed and qualified. Vacancies occurring for reasons other than the expiration of terms shall be filled by the Village Council as they occur for the period of the unexpired term. Faithful attendance at most (80%) of the meetings of the Commission is considered a prerequisite for the maintenance of membership.
- C. Members are limited to six (6) years total service. After six (6) years of service, a former member must be off the Commission for one (1) year before being considered for re-appointment.
- D. The Chairman of this Commission shall be appointed by the Village Council.

SECTION 3. The initial members of this Commission shall be:

John Skvarla -Chairman- 3 year term
Beth Kocher- 3 year term
Frank Thigpen - 3 year term
Bettye Marcum- 2 year term
Mark Parson- 2 year term
John Root - 2 year term
Howard Warren- 2 year term

SECTION 4. The Historic Preservation Commission shall have the powers and duties listed in Chapter 4, Section 4.6 of the Pinehurst Development Ordinance adopted May 24, 2005 as amended and the powers conveyed by North Carolina General Statutes 160A-400.7 through 160A-400.14. All votes of said Commission shall carry with a simple majority.

SECTION 5. The Village Clerk or such other person as the Council may designate shall keep a record of the proceedings and attendance of members. The Commission shall hold at least one (1) meeting monthly, and all meetings shall comply with Chapter 143, Section 318 of the General Statutes of North Carolina having to do with open meetings.

SECTION 6. All members of the Historic Preservation Commission shall serve without compensation.

Adopted this 14th day of March, 2006.

(Municipal Seal)



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____

Steven J. Smith, Mayor

Attest:

Linda S. Brown
Linda S. Brown, Village Clerk

Approved as to form:

Michael J. Newman
Michael J. Newman, Village Attorney

RESOLUTION #13-20:

**A RESOLUTION REGARDING RE-APPOINTMENTS TO THE PINEHURST
HISTORIC PRESERVATION COMMISSION.**

THAT WHEREAS, the Village of Pinehurst has established an Historic Preservation Commission as authorized by North Carolina General Statutes, Chapter 160A, Article 19; and

WHEREAS, the terms of Mrs. Nancy Smith and Mr. Frank Thigpen expired on March 31, 2013, and the term of Mr. Carl Holstein expired on February 28, 2013; and

WHEREAS, Mrs. Smith, Mr. Thigpen, and Mr. Holstein and the Village Council of Pinehurst are desirous of their continuing to serve as members of the Historic Preservation Commission;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in work session assembled this 23rd day of April, 2013, as follows:

SECTION 1. That the following re-appointments are hereby made to the Historic Preservation Commission for the terms indicated:

Mrs. Nancy Smith and Mr. Frank Thigpen are re-appointed to the Historic Preservation Commission, effective March 31, 2013, said terms to expire March 31, 2015.

Mr. Carl Holstein is re-appointed to the Historic Preservation Commission, effective February 28, 2013, said term to expire February 28, 2015.

SECTION 2. That these appointees shall continue serving until a replacement is appointed and qualified.

THIS RESOLUTION passed and adopted this the 23rd day of April, 2013.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy Roy Fiorillo
Nancy Roy Fiorillo, Mayor

Attest:

Lauren M. Craig
Lauren M. Craig, Village Clerk

Approved as to Form.

Michael J. Newman
Michael J. Newman, Village Attorney



TEMPORARY ORDINANCES FOR 2014 US OPEN CHAMPIONSHIPS

ADDITIONAL AGENDA DETAILS:

FROM:

Natalie Dean

MEMO DETAILS:

This agenda item contains two ordinances related to the 2014 US Open Championships:

1. **An amendment to the ordinance allowing open containers during the two weeks of the 2014 US Men's and Women's Open Championships that Council approved at its last meeting.** This amendment is to clarify that the possession and consumption of alcohol in public streets open to vehicular traffic is unlawful during the period of June 7-22.
2. **An ordinance instituting temporary time restrictions on parking in the Village Center during the US Men's Open Championship, or June 9th - 16th, 2014.** Staff recommends Council consider instituting 3-hour time limits on parking in the Village Center for the week of the Men's US Open Championship with a \$50 civil penalty for violations that occur between 9 am and 6 pm.

Chief Earl Phipps intends to use the Citizens on Patrol to monitor parking throughout the Village during the tournaments and issue any infractions, if necessary. In addition, Chief Phipps and staff have identified twelve locations for signage to be temporarily displayed indicating the time restrictions on the streets listed in the ordinance.

Should you have any questions about this agenda item, please feel free to give me a call.

ATTACHMENTS:

Description

- 📎 [Ordinance 14-14 Amending the Municipal Code for Alcoholic Beverages during the US Opens](#)
- 📎 [Ordinance 14-15 Amending the Municipal Code for Parking Time](#)
- 📎 [Parking Sign Map](#)
- 📎 [Parking Sign Design](#)

ORDINANCE #14-14:

AN ORDINANCE AMENDING SECTION 130.05 TO THE PINEHURST MUNICIPAL CODE AS IT PERTAINS TO ALCOHOLIC BEVERAGES.

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, on September 13, 2011 the Village Council of the Village of Pinehurst adopted Ordinance 11-25 which adopted the general ordinances of the Village of Pinehurst as revised, amended, restated, codified, and compiled in book form and declared that these shall constitute the "Village of Pinehurst, North Carolina Municipal Code;" and

WHEREAS, the Municipal Code will be subsequently amended from time to time as conditions warrant; and

WHEREAS, North Carolina General Statute §18B-300(c) indicates a city may regulate or prohibit the consumption, possession of, and possession of open containers of malt beverages and unfortified wine by local ordinance;

WHEREAS, the Village Council of the Village of Pinehurst finds that the allowance of open containers during permitted special events can be adequately managed by the Village's law enforcement and can be beneficial to the economic vitality of the Village Center;

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of Pinehurst, North Carolina, in a regular meeting assembled this 8th day of April, 2014 as follows:

SECTION 1. That Section 130.05 of the Village of Pinehurst, North Carolina Municipal Code is hereby amended, which shall read as follows:

§ 130.05 ALCOHOLIC BEVERAGES

(D) Possession and consumption of malt beverages or unfortified wine at special events.

(3) Notwithstanding the provisions of sections 130.05 (A), (B) and (C) of this Code, the possession of malt beverages and unfortified wines, the possession of open containers of malt beverages and unfortified wines, and their consumption shall be lawful on any property owned, occupied, or controlled by the Village within the boundary area described below, **excluding public**

streets, unless they are temporarily closed to regular traffic, for the dates of June 7, 2014 through June 22, 2014.

Bounded to the west by Carolina Vista Drive, bounded to the north by Ritter Road East and Chinquapin Road from Barrett Road to Magnolia Road (extending to the North on Magnolia Road from Dogwood Road to Community Road), bounded to the east by Dogwood Road to Cherokee Road East to Village Green Road East, then bounded to the south by NC Highway 2 to the intersection of Carolina Vista Drive.

SECTION 2. That all local ordinances 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.

THIS ORDINANCE passed and adopted this 8th day of April, 2014.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney

ORDINANCE #14-15:

AN ORDINANCE AMENDING SCHEDULE II - PARKING TIME LIMITED ON CERTAIN STREETS, CHAPTER 72, SECTION 72.03 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 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, on September 13, 2011 the Village Council of the Village of Pinehurst adopted Ordinance 11-25 which adopted the general ordinances of the Village of Pinehurst as revised, amended, restated, codified, and compiled in book form and declared that these shall constitute the “Village of Pinehurst, North Carolina Municipal Code;” and

WHEREAS, the Municipal Code will be subsequently amended from time to time as conditions warrant; and

WHEREAS, the Village Council has determined that it is in the interests of our downtown merchants, guests, and citizens of Pinehurst to limit parking time on certain streets during the week of the 2014 US Open Men’s Golf Championship at the designated locations listed below in Section 1;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina, in a regular meeting assembled this 8th day of April, 2014, as follows:

SECTION 1. That Schedule II – Parking Time Limited on Certain Streets, Chapter 72, Section 72.03 of the Pinehurst Municipal Code is hereby amended by adding the following streets and roads to the schedule of those designated as “Parking time limited on certain streets” as follows, to be effective from June 9th through June 16th, 2014:

<i>Street</i>	<i>Side</i>	<i>Time Limit</i>	<i>Hours</i>	<i>Location</i>
Cherokee Road	South	1 hour	Between 9:00 a.m. and 5:00 p.m.	In front of Given Memorial Library
<u>Cherokee Road</u>	<u>North and South</u>	<u>3 hours</u>	<u>Between 9:00 a.m. and 6:00 p.m.</u>	<u>All public parking locations, excluding in front of Given Memorial Library.</u>
<u>Chinquapin Road</u>	<u>North and South</u>	<u>3 hours</u>	<u>Between 9:00 a.m. and 6:00 p.m.</u>	<u>All public parking locations from Cherokee Road to Magnolia Road.</u>
<u>Dogwood Road</u>	<u>East and West</u>	<u>3 hours</u>	<u>Between 9:00 a.m. and 6:00 p.m.</u>	<u>All public parking locations.</u>

<u>Market Square</u>	<u>North and South</u>	<u>3 hours</u>	<u>Between 9:00 a.m. and 6:00 p.m.</u>	<u>All public parking locations.</u>
<u>Village Green West</u>	<u>East and West</u>	<u>3 hours</u>	<u>Between 9:00 a.m. and 6:00 p.m.</u>	<u>All public parking locations.</u>

SECTION 2. That Chapter 72, Section 72.99 of the Pinehurst Municipal Code is hereby amended by adding the following:

§ 72.99 PENALTY.

(C) Violations of the terms of § 72.03 shall subject the violator to an infraction and a civil fine of up to \$50, inclusive of all penalty assessments and court costs as set forth in G.S. § 14-4(b).

SECTION 3. 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 4. That Sections 1 and 2 of this ordinance shall be and remain in full force and effect on June 9th and after the erection of the appropriate and necessary traffic signs, until June 16th, 2014.

SECTION 5. That the Chief of Police and Director of Public Services are hereby authorized and directed to establish appropriate signage at the places designated in Section 1 of this ordinance, as they deem necessary, for the purpose of enforcement.

THIS ORDINANCE passed and adopted this 8th day of April, 2014.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

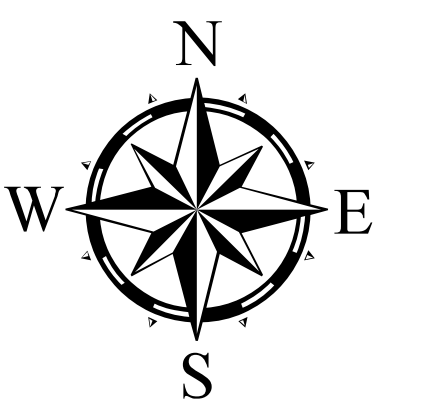
Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney



Village of Pinehurst 2014 US Open Championships 3 Hour Parking Sign Locations





**UNLESS OTHERWISE
POSTED**

**3 HOUR MAX
PARKING**

9:00am - 6:00pm

Ord. 14-XX



MATTERS RELATED TO THE COLLECTION OF DELINQUENT MSD ASSESSMENTS

ADDITIONAL AGENDA DETAILS:

FROM:

John Frye

CC:

Andy Wilkison & Natalie Dean

DATE OF MEMO:

3/31/2014

MEMO DETAILS:

Billings for this year's Municipal Service District (MSD) assessments were mailed in January and were due February 11, 2014. North Carolina General Statute 160A-233(b) states that if any installment of the assessment is not paid by the due date, all of the installments remaining unpaid become due and payable, unless the Council waives this acceleration.

As of the due date, five property owners did not pay this year's installment. Three of the assessments have now been paid due to subsequent collection efforts.

We recommend Council approve the attached resolution to waive the acceleration of the remaining assessment installments on these three properties.

The two remaining assessments that remain unpaid are for one property who's owner passed away and one who's owner has refused to pay. The MSD assessments for the two properties listed below have not been paid and are delinquent:

Karen Leslie Barrett, devisee of the Estate of Cecilie U. Barrett, deceased \$4,944.95 (1 lot)

Being all of Lot 223, Unit 12, Phase 2, of the property of Pinehurst, Incorporated, as shown on plat thereof recorded in the Office of the Register of Deeds of Moore County, North Carolina in Map Book 10, Slide 61-64. The property is more fully described in Deed Book 450, Page 701, Moore County Public Registry, and is the same as devised to Karen Leslie Barrett in the Last Will and Testament of Cecilie U. Barrett as probated in Moore County Clerk of Superior Court file number 2013 E 603.

LRK# 14512

Margaret Bergman, \$9,622.52 (2 lots)

Being all of Lots 345 and 346, Unit 12, Phase 2, of the property of Pinehurst, Incorporated, as shown on plat thereof recorded in the Office of the Register of Deeds of Moore County, North Carolina in Map Book 10, Slide 61-64. The property is more fully described in Deed Book 730, Page 468, Moore County Public Registry. Mr. Howard Bergman died, still married to Miriam Bergman, on October 31, 2012 in Moore County, NC.

LRK# 26369

By this memo, the Village Tax Collector, Becky Jensen, and I are reporting these assessments as delinquent

to the Council as required under G.S. 105-369(a). **The attached Resolution orders advertisement of Special Assessment Liens against these properties as further required by G.S. 105-369(b1).** After publication of the lien, the Village attorney will file a Judgment for Assessments to secure the Village's legal standing in these matters.

Should you have any questions, please feel free to contact me.

ATTACHMENTS:

Description

- 📎 [Resolution Waiving Acceleration](#)
- 📎 [Resolution-Special Assessment Liens](#)

RESOLUTION #14-13:

A RESOLUTION WAIVING ACCELERATION OF ASSESSMENT INSTALLMENTS OF THE MUNICIPAL SERVICE DISTRICT FOR THE VILLAGE OF PINEHURST, NORTH CAROLINA.

THAT WHEREAS, the Village established a Municipal Service District Fund to account for revenues and expenditures associated with the Municipal Service District; and

WHEREAS, the Village appropriated funds to pay for the rehabilitation and construction related to Pond Dam #1 at Queens Court from the Capital Reserve Fund; and

WHEREAS, the Village assessed the Municipal Service District for these costs to be repaid over a fifteen year period; and

WHEREAS, the eighth year installments were due February 11, 2014 and the property owners listed below did not pay their assessment installment by the due date but have subsequently paid their annual installment; and

WHEREAS, G.S. 160A-233(b) states that if any installment of an assessment is not paid by the due date that all remaining installments become due and payable, unless the Council waives acceleration; and

WHEREAS, the past due accounts have been collected as of this date;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 8th day of April, 2014, as follows:

SECTION 1. To waive acceleration of installments for the following Municipal Service District properties:

<u>Name</u>	<u>Property</u>	<u>Annual Installment</u>
Jerry W. Parrish	LRK#16157	\$ 517.88
William Frank	LRK#25729	\$ 551.29
Kara L. Soules	LRK#29507	\$ 751.76

SECTION 2. Copies of this resolution shall be furnished to the Village Clerk, to the Village Manager, and to the Director of Financial Services for their direction and implementation.

ADOPTED this 8th day of April 2014.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney

DRAFT

RESOLUTION #14-14:

A RESOLUTION ORDERING THE ADVERTISEMENT OF SPECIAL ASSESSMENT LIENS ON REAL PROPERTY OF THE MUNICIPAL SERVICE DISTRICT FOR THE VILLAGE OF PINEHURST, NORTH CAROLINA.

THAT WHEREAS, the Village established a Municipal Service District Fund to account for revenues and expenditures associated with the Municipal Service District; and

WHEREAS, the Village appropriated funds to pay for the rehabilitation and construction related to Pond Dam #1 at Queens Court from the Capital Reserve Fund; and

WHEREAS, the Village assessed the Municipal Service District for these costs to be repaid over a fifteen year period; and

WHEREAS, the eighth year installments were due February 11, 2014 and the installments on two (2) properties were not paid by the due date; and

WHEREAS, G.S. 160A-233(b) states that if any installment of an assessment is not paid by the due date that all remaining installments become due and payable, unless the Council waives acceleration; and

WHEREAS, the Village Tax Collector has reported the following assessment as delinquent:

Owner: Karen Leslie Barrett, devisee of the Estate of Cecilie U. Barrett, deceased
Amount: \$4,944.95

Being all of Lot 223, Unit 12, Phase 2, of the property of Pinehurst, Incorporated, as shown on plat thereof recorded in the Office of the Register of Deeds of Moore County, North Carolina in Map Book 10, Slide 61-64. The property is more fully described in Deed Book 450, Page 701, Moore County Public Registry, and is the same as devised to Karen Leslie Barrett in the Last Will and Testament of Cecilie U. Barrett as probated in Moore County Clerk of Superior Court file number 2013 E 603. LRK# 14512

Owner: Margaret Bergman
Amount: \$9,622.52

Being all of Lots 345 and 346, Unit 12, Phase 2, of the property of Pinehurst, Incorporated, as shown on plat thereof recorded in the Office of the Register of Deeds of Moore County, North Carolina in Map Book 10, Slide 61-64. The property is more fully described in Deed Book 730, Page 468, Moore County Public Registry. Mr. Howard Bergman died, still married to Miriam Bergman, on October 31, 2012 in Moore County, NC. LRK# 26369

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 8th day of April, 2014, as follows:

SECTION 1. The Village Tax Collector is hereby ordered to publish **Special Assessment Liens on Real Property** for the Municipal Service District properties listed above as delinquent.

SECTION 2. The Village Attorney is hereby authorized to take any and all actions authorized under North Carolina General Statutes to secure the Village's standing in this matter.

SECTION 3. Copies of this resolution shall be furnished to the Village Clerk, to the Village Manager, and to the Village Tax Collector for their direction and implementation.

ADOPTED this 8th day of April, 2014.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney



MINORITY BUSINESS OUTREACH PLAN FOR CONSTRUCTION PROJECTS

ADDITIONAL AGENDA DETAILS:

FROM:

John Frye

CC:

Andy Wilkision & Natalie Dean

DATE OF MEMO:

4/2/2014

MEMO DETAILS:

Last year's Strategic Operating Plan contained an initiative to design and implement a compliance program for outreach to Historically Underutilized Businesses (HUBs). This initiative was in response to the strategic objective to "Meet legal and regulatory requirements". I have researched the related statutes and current practices of the Village and have the following information and recommendation.

North Carolina General Statute 143-128.2(a) requires public entities to adopt an appropriate verifiable percentage goal for participation by minority businesses in the total value of work for building construction projects costing \$300,000 or more. The Village satisfied this requirement by adopting a 5% goal by Ordinance #93-7 on March 15, 1993.

N.C.G.S 143-128.2(e), enacted in 2001, further requires that public entities develop and implement a minority business participation and outreach plan to identify minority businesses that can perform public building projects and to implement outreach efforts to encourage minority business participation in these projects.

The attached outreach plan was developed based on a model plan provided by the UNC School of Government and in conjunction with other department heads who are involved with construction projects for the Village. This plan is presented for your consideration and adoption by the resolution provided.

Adopting and following the provisions of the outreach plan will bring the Village into full compliance with these statutes as they relate to minority participation in building construction and repair contracts.

Thank you for your consideration in this matter. If you have any questions about the plan please feel free to give me a call.

ATTACHMENTS:

Description

- ❏ [Resolution HUB Outreach Plan](#)
- ❏ [Exhibit A - Minority Business Outreach Plan for Construction Projects](#)

RESOLUTION #14-15:

RESOLUTION FOR THE VILLAGE OF PINEHURST TO ADOPT AN OUTREACH PLAN FOR PARTICIPATION BY MINORITY BUSINESSES IN THE AWARDING OF BUILDING CONSTRUCTION CONTRACTS PURSUANT TO N.C.G.S. 143-128.2

WHEREAS, the North Carolina General Assembly enacted Session Law 2001– 496, Senate Bill 914 to enhance and improve the good faith efforts to recruit and select minority businesses for participation in public building construction or repair contracts by adding N.C.G.S. 143-128.2; and

WHEREAS, N.C.G.S. 143-128.2 requires each city, county, or other local public entity to adopt, after notice and a public hearing, an appropriate verifiable percentage goal for participation by minority businesses in the total value of work for building projects costing \$300,000 or more; and

WHEREAS, the Village Council of the Village of Pinehurst adopted Ordinance #93-7, establishing a verifiable percentage goal of 5% for participation by minority businesses in building construction contracts awarded pursuant to N.C.G.S. 143-128 on March 15, 1993, and

WHEREAS, N.C.G.S. 143-128.2(b) requires a public entity awarding a building contract where the total cost equals or exceeds \$300,000 to establish, prior to solicitation of bids, good faith efforts that it will take to make it feasible for minority businesses to submit successful bids or proposals for the contracts for building projects; and

WHEREAS, N.C.G.S. 143-128.2(e)(1) requires a public entity awarding a building construction or repair contract where the total cost exceeds \$300,000, prior to awarding a contract, to develop and implement a minority business participation outreach plan; and

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 8th day of April, 2014, as follows:

SECTION 1. That the “Outreach Plan and Guidelines for Recruitment and Selection of Minority Businesses for Participation in Village of Pinehurst Building Construction or Repair Contracts” is hereby adopted, and the adopted policy attached hereto as Exhibit A is made a part of hereof, the same as if included verbatim.

ADOPTED this 8th day of April, 2014.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney

DRAFT

OUTREACH PLAN AND GUIDELINES FOR RECRUITMENT AND SELECTION OF MINORITY BUSINESSES FOR PARTICIPATION IN VILLAGE OF PINEHURST BUILDING CONSTRUCTION OR REPAIR CONTRACTS

In accordance with G.S. 143-128.2, these guidelines establish goals for minority participation in single-prime bidding, separate-prime bidding, construction manager at risk, and alternative contracting methods, on Village of Pinehurst building construction or repair projects in the amount of \$300,000 or more. The outreach plan shall also be applicable to the selection process of architectural, engineering, and Construction Manager-at-Risk services.

The Village of Pinehurst has a current verifiable goal of 5% percent for minority participation for building construction or repair projects. The goal will be reviewed annually based on available data.

SECTION A: INTENT

It is the intent of these guidelines that the Village of Pinehurst, as awarding authority for building construction or repair projects, and the contractors and subcontractors performing the construction contracts awarded shall cooperate and in good faith do all things legal, proper, and reasonable to achieve the goal of 5 percent for participation by minority businesses in each building construction or repair project as required by GS 143-128.2. Nothing in these guidelines shall be construed to require contractors or awarding authorities to award contracts or subcontracts to or to make purchases of materials or equipment from minority-business contractors or minority-business subcontractors who do not submit the lowest responsible, responsive bid or bids.

SECTION B: DEFINITIONS

1. Minority - a person who is a citizen or lawful permanent resident of the United States and who is:
 - a. Black, that is, a person having origins in any of the black racial groups in Africa;
 - b. Hispanic, that is, a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race;
 - c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, the Pacific Islands;
 - d. American Indian, that is, a person having origins in any of the original peoples of North America;
 - or
 - e. Female
2. Minority Business (MBE) - means a business:
 - a. In which at least fifty-one percent (51%) is owned by one or more minority persons, or in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals; and
 - b. Of which the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who own it.
3. Socially and economically disadvantaged individual - means the same as defined in 15 U.S.C. 637: Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities. Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged.
4. Owner – Village of Pinehurst.

5. Designer – Any person, firm, partnership, or corporation which has contracted with the Village of Pinehurst to perform architectural or engineering work.
6. Bidder - Any person, firm, partnership, corporation, association, or joint venture seeking to be awarded a public contract or subcontract.
7. Contract - A mutually binding legal relationship or any modification thereof obligating the seller to furnish equipment, materials, or services, including construction, and obligating the buyer to pay for them.
8. Contractor - Any person, firm, partnership, corporation, association, or joint venture which has contracted with the Village of Pinehurst to perform building construction or repair work.
9. Subcontractor - A firm under contract with the prime contractor or construction manager at risk for supplying materials or labor and materials and/or installation. The subcontractor may or may not provide materials in his subcontract.

SECTION C: MINORITY OUTREACH PLAN AND GUIDELINES

Owner

The Village of Pinehurst will employ the following strategies to encourage participation from MBEs;

1. Work with minority-focused and small business groups that support MBE inclusion in the solicitation of bids. These groups include Sandhills Community College Small Business Center and Moore County Chamber of Commerce.
2. Place emphasis on the importance of soliciting certified MBE firms for subcontracting opportunities at pre-bid conferences and in the bid documents. Examine specifications to identify special subcontracting opportunities and strongly encourage prime contractors to solicit bids for subcontracts from MBE firms.
3. Provide detailed information to majority contractors concerning the bidding and good faith efforts requirements by holding meetings with the contractors.
4. Assess the effectiveness of the MBE program, and identify opportunities to enhance it by evaluating MBE participation and compliance and reviewing the good faith efforts provided in bid packages.
5. Identify subcontracting opportunities unique to each construction contract and project and concentrate heavily on targeting certified MBE firms that have expressed an interest in Village of Pinehurst projects. Identify these opportunities and contact interested businesses no later than 10 days prior to the bid opening and provide a list of prime contractors who plan to participate in the project.
6. Maintain or continue to maintain a database specifically for MBE firms and majority contractors to ensure those firms wishing to do business with the Village of Pinehurst have access to up-to-date information.
7. Work with architects and engineers to make subcontracting opportunities more noticeable and more easily understood by potential contractors and subcontractors.

Designer

Under the single-prime bidding, separate prime bidding, construction manager at risk, or alternative contracting method, the designer will:

1. Attend the scheduled pre-bid conference to explain minority business requirements to the prospective bidders.
2. Assist the owner to identify and notify prospective minority business prime and subcontractors of potential contracting opportunities.
3. Advertise upcoming bid opportunities in minority-focused media.
4. Maintain documentation of any contacts, correspondence, or conversation with minority business firms made in an attempt to meet the goals.
5. Review jointly with the owner, all requirements of G.S. 143-128.2(c) and G.S.143-128.2(f) prior to recommendation of award (i.e. bidders' proposals for identification of the minority businesses that will be utilized with corresponding total dollar value of the bid and affidavit listing good faith efforts, or affidavit of self-performance of work, if the contractor will perform work under contract by its own workforce).
6. During construction phase of the project, review documentation for contract payment to MBEs (e.g. state form "Appendix E: MBE Documentation for Contract Payment" <http://interscope2.doa.state.nc.us/Guidelines/MBE/MBGuidelines2002R.pdf>) for compliance with minority business utilization commitments and submit this form with monthly pay applications to the Owner.

Prime Contractor(s), CM at Risk, and Its First-Tier Subcontractors

Under the single-prime bidding, the separate-prime bidding, construction manager at risk, and alternative contracting methods, the contractor(s) will:

1. Attend the scheduled pre-bid conference.
2. Identify or determine those work areas of a subcontract where minority businesses may have an interest in performing subcontract work.
3. During the bidding process, comply with the owner's requirements listed in the proposal for minority participation.
4. Identify on the bid the minority businesses that will be utilized on the project with corresponding total dollar value of the bid and affidavit listing good faith efforts as required by G.S. 143-128.2(c) and G.S. 143-128.2(f).
5. Make documentation showing evidence of implementation of Prime Contractor, CM-at-Risk and First-Tier Subcontractor responsibilities available for review by the Village of Pinehurst, upon request.
6. Upon being named the apparent low bidder, the bidder shall provide one of the following:
 - a. An affidavit that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the applicable goal; or
 - b. If the percentage is not equal to the applicable goal, then documentation of all good faith efforts taken to meet the goal. The documentation must include evidence of all good faith efforts that were implemented including any advertisements, solicitations, and evidence of other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract. Failure to comply with these requirements is grounds for rejection of the bid and award to the next lowest responsible and responsive bidder.

7. The contractor(s) shall identify the name(s) of minority business subcontractor(s) and corresponding dollar amount of work on the schedule of values.
8. The contractor(s) shall submit with each monthly pay request(s) and final payment(s) documentation for contract payment to MBEs (e.g. state form "Appendix E: MBE Documentation for Contract Payment"
<http://interscope2.doa.state.nc.us/Guidelines/MBE/MBGuidelines2002R.pdf>) for designer's review.
9. During the construction of a project, at any time, if it becomes necessary to replace a minority business subcontractor, immediately advise the owner in writing, of the circumstances involved. The prime contractor shall make a good faith effort to replace a minority business subcontractor with another minority business subcontractor.
10. If during the construction of a project additional subcontracting opportunities become available, the contractor shall make a good faith effort to solicit sub-bids from minority businesses.

Minority Business Responsibilities

Certification

While minority businesses are not required to become certified in order to participate in the Village of Pinehurst's building construction or repair projects, it is recommended that they become certified and take advantage of appropriate technical assistance that is made available. Certification can be obtained from the following agencies:

- North Carolina Department of Administration Historically Underutilized Business (HUB) certification
- North Carolina Department of Transportation Minority/Disadvantaged/Women-owned Business certification
- Small Business Administration 8(a) certification
- Other governmental agencies on a case-by-case basis

Other Responsibilities

Minority businesses that are contacted by owners or bidders must respond promptly whether or not they wish to submit a bid.

SECTION D: MINIMUM COMPLIANCE REQUIREMENTS

All written statements or affidavits made by the bidder shall become a part of the agreement between the Contractor and the Village of Pinehurst for performance of the contract. Failure to comply with any of these statements, affidavits, or with the minority business guidelines shall constitute a breach of the contract. A finding by the Village of Pinehurst that any information submitted either prior to award of the contract or during the performance of the contract is inaccurate, false, or incomplete shall also constitute a breach of the contract. Any such breach may result in termination of the contract in accordance with the termination provisions contained in the contract. It shall be solely at the option of the Village of Pinehurst whether to terminate the contract for breach.

In determining whether a contractor has made good faith efforts, the Village of Pinehurst will evaluate all efforts made by the Contractor and will determine compliance in regard to quantity, diligence, and results of these efforts. Contractors are required to earn at least 30 points for good faith efforts. Failure to file a

required affidavit or documentation demonstrating that the contractor made the required good faith effort, is grounds for rejection of the bid. Good faith efforts include:

1. Contacting minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists at least 10 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed. (10 points)
2. Making the construction plans, specifications, and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bid or proposals are due. (10 points)
3. Breaking down or combining elements of work into economically feasible units to facilitate minority participation. (15 points)
4. Attending any pre-bid meetings scheduled by the public owner. (10 points)
5. Negotiating in good faith with interested minority businesses and not rejecting them as unqualified without sound reasons based on their capabilities. Reasons for rejection of a minority business based on lack of qualification should be documented in writing. (15 points)

SECTION E: DISPUTE RESOLUTION PROCEDURES

Pursuant to G.S. 143-128 (f1), all disputes involving contractors on a building construction or repair project with the Village of Pinehurst shall be resolved pursuant to State of North Carolina Policy G.S. 143-135.26(11)]

SECTION F: These guidelines will be issued with each construction bid package in order to solicit minority business participation in the Village of Pinehurst's projects.



RESOLUTION REQUESTING THE INTRODUCTION OF A LOCAL BILL REGARDING THE ANNEXATION OF THE COTSWOLD SUBDIVISION

ADDITIONAL AGENDA DETAILS:

FROM:

Andy Wilkison

DATE OF MEMO:

4/3/2014

MEMO DETAILS:

Representative Boles has requested that the Village Council adopt a resolution officially requesting the introduction of a local bill to effect the annexation of the Cotswold subdivision.

ATTACHMENTS:

Description

📎 [Resolution 14-12](#)

RESOLUTION #14-12:

A RESOLUTION REQUESTING THAT THE GENERAL ASSEMBLY OF NORTH CAROLINA ENACT LEGISLATION WHICH ANNEXES INTO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST THE COTSWOLD SUBDIVISION.

THAT WHEREAS, the Village of Pinehurst has held discussion for some time with representatives of the property owners association of Cotswold regarding annexation of the subdivision into the Village of Pinehurst; and

WHEREAS, at a regular meeting on March 25, 2014 the Pinehurst Village Council adopted a motion to have Representative Jamie L. Boles, Jr. introduce the legislation for the annexation of Cotswold; and

WHEREAS, a Public Hearing was held by the Village Council on February 25, 2014, with Representative Boles in attendance, at which time all persons wishing to be heard on the matter of annexation of Cotswold into the Village of Pinehurst were able to express their views for the benefit of the Village Council and others; and

WHEREAS, the sentiment of a strong majority of those persons appearing and speaking at the Public Hearing was in favor of the annexation of Cotswold into the Village and Pinehurst;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 8th day of April, 2014, as follows:

SECTION 1. That the Moore County delegation to the General Assembly of the State of North Carolina is hereby respectfully requested to introduce local legislation in the 2014 session of the General Assembly which will annex the property commonly known as Cotswold into the Village of Pinehurst.

SECTION 2. That the General Assembly of the State of North Carolina is hereby requested to enact said legislation in a manner which will allow the annexation of the aforesaid property into the Village of Pinehurst on June 30, 2014.

THIS RESOLUTION passed and adopted this 8th day of April, 2014.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney