

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF GORDON COUNTY, GEORGIA, FOR THE PURPOSE OF ENACTING A TEMPORARY EMERGENCY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR ZONING APPROVALS, BUILDING PERMITS, LAND DISTURBANCE PERMITS, AND ANY OTHER APPROVALS OR PERMITS, OR PROCESSING OF OR ISSUANCE OF DECISIONS ON ANY SUCH APPLICATIONS, REGARDING NEW COMMERCIAL POULTRY OPERATIONS OR THE EXPANSION OF EXISTING COMMERCIAL POULTRY OPERATIONS.

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**WHEREAS**, Gordon County desires to consider whether more extensive regulation of commercial poultry operations under the County's land use ordinances would be appropriate; and

**WHEREAS**, the preexisting ordinances of Gordon County may need amendments to better serve the citizens of Gordon County; and

**WHEREAS**, while the amendments to the ordinance are being drafted and considered, the Board of Commissioners desires to preserve the status quo and not allow any further applications or permits for commercial poultry operations to be considered or approved that might violate the proposed new regulations or otherwise be undesirable with respect to the public health, safety and welfare; and to prevent any claims of vested rights under the existing ordinances; and

**WHEREAS**, adopting this moratorium as an emergency provision is necessary to protect the public welfare and is further in accord with established Georgia Supreme Court decisions such as City of Roswell v. Outdoor Systems, Inc., 274 Ga. 130 (2001); and

**WHEREAS**, the proposed moratorium duration is 60 days, which duration is determined to be the minimum adequate time to review the County Ordinances, consider drafted changes, advertise and hold public hearing(s) required by law, and adopt said changes;

**NOW THEREFORE BE IT ORDAINED AND RESOLVED**, AND IT HEREBY IS ORDAINED AND RESOLVED, by virtue of the authority vested in the Board of Commissioners by law, that a moratorium is temporarily established as follows:

1. This moratorium is enacted for temporary and emergency purposes only, and shall be in effect through and including 60 days from its adoption, or until it is repealed, whichever occurs first.
2. This moratorium applies to all applications for any permit approval or issuance required for the construction, expansion or operation of new or expanded commercial poultry operations. For the purposes of this moratorium, *commercial poultry operation* shall mean any structure or facility designed to house or process 50 or more chickens or turkeys at one time.

3. Neither the County nor any of its staff or departments shall accept applications for zoning approval, building permits, land disturbance permits, or any other approvals or permits, or process or issue any decisions on any such applications regarding facilities or structure for new or expanded commercial poultry operations.

4. No action taken by any person or entity during this temporary moratorium shall serve to vest rights to develop or operate any commercial poultry operation.

5. Previously approved commercial poultry operations shall not be prevented by this moratorium from operating under and consistent with the prior approval.

**SO ADOPTED** this 5<sup>th</sup> day of May, 2015, to be effective immediately, the public health, safety, and welfare demanding.

ATTEST:

GORDON COUNTY, GEORGIA

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Clerk  
(SEAL)

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by: Becky Hood, Chairperson  
Board of Commissioners

*(Official signed copy available in the County Administration Office.)*