

AN EMERGENCY ORDINANCE OF THE TOWN OF RESACA, GEORGIA FOR THE PURPOSE OF **EXTENDING AN EMERGENCY MORATORIUM ON THE ISSUANCE OF ANY BUILDING PERMITS, OR ACCEPTANCE OF ANY APPLICATIONS FOR PERMITS, FOR ANY USE OTHER THAN SINGLE FAMILY HOMES; PROVIDING FOR DURATION, AND FOR OTHER PURPOSES, AT THE REGULAR TOWN COUNCIL MEETING HELD JULY 8, 2014.**

WHEREAS, the Town Council of the Town of Resaca, Georgia, in the process of preparing and adopting a zoning ordinance, the Town currently being without any land use zoning ordinance of any sort; and

WHEREAS, as it becomes known the Town is planning to adopt zoning, property owners could rush to pull permits and commence construction on unwanted, undesirable or incompatible uses in order to vest their rights; and therefore, the town desires to prevent any issuance of building permits, other than for single family residences, which use is compatible with the existing pattern of development of the Town, while the process of drafting a zoning ordinance, having public hearings, and adopting the zoning ordinance proceeds; and

WHEREAS, the Georgia Supreme Court has authorized the adoption of emergency moratoriums in order to preserve the status quo while ordinances are amended and adopted; and the Town seeks to amend its code of ordinances to adopt a zoning ordinance, to regulate the uses of land within the Town; and

WHEREAS, the Town previously adopted a moratorium on February 12, 2013 subsequently contracted with the Northwest Georgia Regional Commission (NGRC) to draft its zoning ordinance; and the Town previously extended the moratorium due to the NGRC not having completed its work and presented a draft zoning ordinance for the Town's consideration; and

WHEREAS, the NGRC completed its work and the Town has adopted a Zoning Ordinance on July 8, 2014 to be effective December 31, 2014, such delay to give the citizens of the Town the time to get used to the ordinance and adapt to it

WHEREAS, the Town Council has determined it is in the best interests of the public health, safety and welfare to extend the moratorium during such period in order to preserve the status quo and thereby adopt the following moratorium ordinance;

NOW THEREFORE THE TOWN COUNCIL OF THE TOWN OF RESACA, GEORGIA ORDAINS, and it is hereby ordained, pursuant to its Home Rule authority under the Georgia Constitution and the powers granted the Town in its Charter, the Town Council hereby establishes a moratorium on the issuance of building permits for any use other than single-family homes, to last until December 31, 2014 the effective date of the Resaca Zoning Ordinance adopted July 8, 2014. During such time period, Gordon County shall not issue any building permits nor accept any applications for building permits for any use in the Town of Resaca except for single family homes. Any such permit issued, and any such application

accepted shall be void as in violation of this ordinance. The Town Clerk shall provide a copy of this moratorium ordinance to the Gordon County Building Official upon adoption.

SO ORDAINED AND ADOPTED this 8th day of July, 2014 to be effective immediately, the public health, safety and welfare demanding

ATTEST:

TOWN OF RESACA, GEORGIA

by: _____
Town Clerk
(SEAL)

by: _____
Mayor Samuel Allen