

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CANDLER COUNTY TO ADOPT A MORATORIUM ON THE USE OF TINY HOUSES, RV PARKS AND DUMPING STATIONS

WHEREAS, the Board of Commissioners of Candler County is the governing authority for Candler County, Georgia; and

WHEREAS, the Georgia Constitution and the general laws of the State of Georgia grant the local governing authority of each county jurisdiction to control all county property and to further adopt such ordinances and regulations as necessary to protect the public health, public safety and general welfare of its citizens; and

WHEREAS, under authority of the Constitution of the State of Georgia and O.C.G.A. § 8-2-170 et seq., a county may establish standards, conditions and inspection programs for pre-owned manufactured homes; and

WHEREAS, promotion and maintenance of property values within the jurisdiction and health and general welfare of citizens of Candler County are furthered by adoption of standards for the conditions of vehicles, trailers and structures, including pre-owned manufactured homes, capable of human habitation;

WHEREAS, Candler County has previously adopted ordinances regulating the placement of manufactured homes in the unincorporated areas of the County; and

WHEREAS, Candler County deems it necessary and desirable to continue to study the health and safety of tiny houses (structures having less than 400 square feet), as well as to study the impact that such structures would have on existing communities within the County; and

WHEREAS, Candler County deems it necessary and desirable to review its ordinances that address the establishment of recreational vehicle parks. RV parks being defined as any single parcel of land upon which two (2) or more recreational vehicles are occupied for temporary sleeping purposes, regardless of whether or not a charge is made for such purposes. A recreational vehicle being defined as a vehicle or trailer capable of human habitation or designed or used for recreational camping or travel use, whether self-propelled or mounted on or drawn by another vehicle or any structure inspected, approved and designated a recreational vehicle; and

WHEREAS, Candler County deems it necessary and desirable to review the policies and procedures associated with dumping stations. A dumping station being defined as a station designed to remove, store, treat and dispose of sewage and gray water from recreational vehicles and/or RV parks; and

WHEREAS, Candler County deems it necessary and desirable to review its ordinances that address the permitting of multiple structures on the same lot; and

WHEREAS, the Georgia Supreme Court has held that a moratorium with response to application of any ordinance may be put in place for a reasonable period of time without the necessity of complying with the notice requirements of the Georgia Zoning Procedures Law; and

WHEREAS, a resolution of the Board of Commissioners of Candler County was adopted imposing a moratorium on the use of Tiny Houses, RV Parks and Dumping Stations for a period of 300 days;

WHEREAS, Candler County finds it appropriate that a moratorium barring the acceptance of applications for permits and placement of tiny houses, RV parks and dumping stations in Candler County, and further barring any other activities relating to the residential use of such tiny houses for an additional 300 days is necessary; and

NOW, THEREFORE BE IT RESOLVED, that Candler County does hereby enact a moratorium barring the acceptance of any applications for permits pursuant to any and all statutes, ordinances, regulations, rules, and requirements, for use or placement for intended use of tiny houses, RV parks and dumping stations in Candler County, and further barring any other activities relating to the residence use of such tiny houses for an additional 300 days. This resolution shall be effective on Monday, November 6th, 2023 for the public's health, safety, and welfare demanding it.

SO RESOLVED AND ADOPTED this 6th day of November, 2023.



CANDLER COUNTY, GEORGIA

Glyn Thrift, Chairman

ATTEST:

Kelli Lank, County Clerk