

FLOYD COUNTY RESOLUTION 2005- XXIV  
A RESOLUTION PERTAINING TO CERTAIN AMENDMENTS TO  
FLOYD COUNTY ORDINANCE A67-4

WHEREAS, on the 5th day of September, 1967, the Floyd County Zoning Ordinance, being Floyd County Ordinance A67-4, was duly adopted by the Board of Commissioners of the County of Floyd (Board), which said ordinance has been modified and amended from time to time; and

WHEREAS, on the 16th day of March, 2004, the Floyd County Plan Commission (Commission), pursuant to the provisions of IC 36-7-4-605, certified to the Board certain amendments to Floyd County Ordinance A67-4, the same creating a moratorium on the approval of sexually oriented businesses, which amendments were duly approved by the Board: and

WHEREAS, on or before the 1st day of March, 2005, the Commission certified to the Board a further amendment to said Ordinance, the same extending the moratorium until the 31st day of December, 2005; and

WHEREAS, the Commission, on or before the 6th day of December, 2005, certified to the Board, following a public hearing as required by law, a further amendment to said ordinance, the same creating a further extension of said moratorium; and

WHEREAS, the Board published notice of its intention to consider this proposed amendment, as required by the provisions of IC 36-7-4-607, with a copy of such notice being incorporated herein by reference and made a part hereof; and

WHEREAS, following consideration of the proposed amendment, it was the pleasure of the Board that the amendment as certified be approved.

NOW THEREFORE,

BE IT RESOLVED, that the recitals set forth above be, and they hereby are, incorporated herein and made a part of this resolution.

BE IT FURTHER RESOLVED, that the changes and amendments to Floyd County Ordinance A67-4 extending the moratorium on sexually oriented businesses, as recommended and certified to the Board of Commissioners of the County of Floyd by the Floyd County Plan Commission on or before the 6th day of December, 2005, be, and the same are hereby approved.

SO RESOLVED This 6th day of December, 2005.



BOARD OF COMMISSIONERS  
OF THE COUNTY OF FLOYD

John C. Severt  
MEMBER

Charles A. Feiberg  
MEMBER

Bob A. Buel  
MEMBER

ATTEST:

Teresa A. Plaiss  
FLOYD COUNTY AUDITOR



FLOYD COUNTY PLAN COMMISSION  
RESOLUTION PERTAINING TO EXTENSION OF THE MORATORIUM  
ON SEXUALLY ORIENTED BUSINESS

WHEREAS, the Floyd County Plan Commission desires to have proper regulations concerning such business(es).

WHEREAS, the Floyd County Plan Commission desires to have public input to address the concerns of the citizens, businesses and other on how they will be affected.

WHEREAS, there is no such ordinance that has been updated or in code at this time that address such business(es) to properly regulate said business(es).

WHEREAS, The County needs time to consider the proper regulation of said business(es), to allow sufficient time to study and consider the regulation of said business(es).

WHEREAS, the Floyd County Plan Commission met on November 21st, 2005 and conducted a public hearing on this matter;

WHEREAS, the Floyd County Planner as indicated that the zoning ordinance is in a final draft stage which would include guidelines on sexually oriented business

WHEREAS, the Plan Commission previously heard from both proponents and opponents of a proposed MORATORIUM;

NOW, THEREFORE,

BE IT RESOLVED that Section 2.05(a) of the Floyd County Ordinance 67-4 be amended as follows:

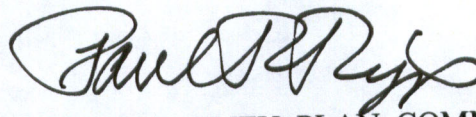
A. The County hereby institutes a moratorium to temporarily prohibit sexually oriented business(es) as defined herein from opening or locating in Floyd County. This moratorium will take affect immediately upon passage by the County Commissioners. The proposed moratorium will be



in place through March 30 , 2006 or until such time as the County has passed a new Zoning Ordinance addressing Sexually Oriented Businesses.

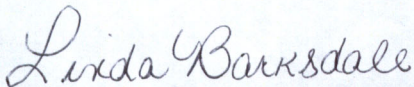
BE IT FURTHER RESOLVED that the staff of the Floyd County Plan Commission shall forward a certified copy of this resolution to the Floyd County Commissioners for any further action which they may desire.

SO RESOLVED this the 22nd day of November , 2005



FLOYD COUNTY PLAN COMMISSION Paul Riggs

Attest



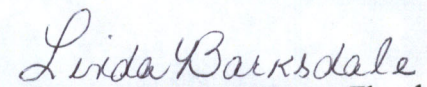
Floyd County Plan Commission Director

December 3, 2005

Date

#### CERTIFICATION

Comes now the Floyd County Plan Commission, pursuant to I.C. 36-7-4-605 and hereby certifies that the attached Resolution is a true and accurate copy of a Resolution pertaining to amendments to the Floyd County Subdivision Control Ordinance passed as part of its regularly scheduled meeting on November 21, 2005. The attached Resolution is available for review in the office of the Floyd County Plan Commission and accurately reflects the vote of the Floyd County Plan Commission approving this Amendment.



Linda Barksdale, Director Floyd  
County Plan Commission