

**A RESOLUTION OF THE NEWTON COUNTY BOARD
OF COMMISSIONERS TEMPORARILY SUSPENDING ENFORCEMENT OF
SECTION 510-480(C)(4) OF THE COUNTY ZONING ORDINANCES PERTAINING TO
CONDITIONAL USE PERMITS REQUIRED FOR SCHOOL AND CHILD CARE
SERVICES AT PLACES OF WORSHIP IN RESIDENTIAL DISTRICTS**

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of the County may adopt clearly reasonable ordinances, resolutions and regulations; and

WHEREAS, there currently exist ongoing Declarations of Statewide Emergency and Local Emergency arising out of the COVID-19 pandemic;

WHEREAS, in order to reduce the rate of community spread of the COVID-19 disease, many local schools have been temporarily closed for in-person activity and have indicated that the upcoming school year will begin with all-digital instruction;

WHEREAS, there is an unprecedented need for student digital learning spaces, Internet access, and supervision resources, and a recognized hardship on working families who struggle to balance the demands of employment with the supervision of children engaging in remote digital learning;

WHEREAS, it has come to the attention of the Board of Commissioners that various churches and other places of worship within the County are willing and able to host programs that provide digital learning support for students and families, with offerings such as Internet access, remote learning spaces, parent work spaces, and nutritional support;

WHEREAS, pursuant to Section 510-480(c)(4) of the Newton County Zoning Ordinances, a conditional use permit is ordinarily required before school or child care activity is permitted at a place of worship located in a residential district;

WHEREAS, strict compliance with Section 510-480(c)(4) prevents, hinders, and delays necessary action in coping the COVID-19 emergency;

WHEREAS, in contrast to the immediate and urgent need to establish digital learning support resources, the process of applying for, considering, and granting a conditional use permit may be lengthy; and

WHEREAS, O.C.G.A. § 38-3-28(a) provides that during a state of emergency, counties may make, amend, and rescind such orders, rules, and regulations as may be necessary for emergency management purposes;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Newton County, Georgia as follows:

1. Pursuant to O.C.G.A. § 38-3-28(a), the Newton County Board of Commissioners hereby temporarily suspends the enforcement of the conditional use permit requirement in Section 510-480(c)(4) of the Newton County Zoning Ordinances as it applies to school or child care activities. Subject to compliance with all other applicable County ordinances and other law, places of worship located in residential districts shall be permitted to provide temporary school and child care facilities for the purpose of relieving hardships created by the COVID-19 pandemic.
2. The foregoing suspension shall only apply in the unincorporated areas of Newton County.
3. Places of worship impacted by this resolution are encouraged to take reasonable steps to minimize any adverse impacts (e.g. traffic congestion on residential streets) that may arise from providing temporary school and child care services.
4. The suspension created by this resolution shall cease upon the earlier of: the last day of classes during the 2020-2021 school year for the Newton County School System, or expiration and nonrenewal of the declared state and local public health emergencies.

So resolved this 18th day of August, 2020.

NEWTON COUNTY BOARD OF COMMISSIONERS


Marcello Banes, Chairman

Attest:


Jackie Smith, County Clerk

